

## FINDING OF NO SIGNIFICANT IMPACT

### Restoration of Rio Grande Cutthroat Trout (*Oncorhynchus clarki virginalis*) and the Native Fish Community to the Upper Rio Costilla Watershed

The New Mexico Department of Game and Fish proposes to restore the native fish community consisting of Rio Grande cutthroat trout (*Oncorhynchus clarki virginalis*, RGCT), Rio Grande sucker (*Catostomus plebeius*, RGS), Rio Grande chub (*Gila pandora*, RGC), and longnose dace (*Rhinichthys cataractae*, LND) to appropriate segments of the upper Rio Costilla within Vermejo Park Ranch (VPR), Rio Costilla Park (RCCLA), and Carson National Forest (CNF). Restoration of the native fish community would require removal of the non-native fishes within streams and lakes within the project area. The proposed project will be funded jointly by the New Mexico Department of Game and Fish (NMDGF) and the U.S. Fish and Wildlife Service (USFWS) under the Dingell-Johnson Sport Fish Restoration Act and the State Wildlife Grant Program.

In cooperation with the NMDGF, the USFWS and U.S. Forest Service (USFS, Cooperating Agency) have analyzed alternatives to the proposed restoration of native fishes in segments of the upper Rio Costilla watershed.

The No Action Alternative would maintain the current fish assemblage in the upper Rio Costilla watershed. Management of the current fishery, including stocking, monitoring, angling, and enforcement of fishing regulations, would remain the same. Hybridization of existing populations of RGCT in the Rio Costilla watershed would continue. The range of other fish species, RGC and RGS, would remain the same.

Other alternatives were considered. Alternative 2, the preferred alternative, would include restoration of RGCT and the native fish community by ceasing non-native fish stocking in designated restoration segments and using angling, electrofishing/netting and chemical removal in the Upper Rio Costilla watershed. This alternative focuses on four key elements: permanent and temporary fish migration barriers, salvage and repatriation of native fish, removal of non-native fish, and monitoring restoration success. Alternative 3 would include restoration of RGCT and the native fish community using angling, and electrofishing/netting. This alternative focuses on permanent and temporary fish migration barriers, relaxing or removing angling restrictions, ceasing fish stocking in designated restoration segments followed by long-term electrofishing and/or net removals of non-native fish and introgressed trout. Other alternatives considered but eliminated from detailed study because the project objectives would not be met included repatriation of RGCT without removal of existing non-native fish populations, angling, netting, dewatering, renovation without concurrent reestablishment of RGS and RGC, genetic swamping, decreasing the genetic purity standard of RGCT, angling without salvage orders, habitat improvement, introduction of beaver, eliminating bag limits and allowing catch/release angling only for RGCT, reducing or eliminating stocking of non-native fish, angler education regarding illegal translocation, using natural events such as fire and drought to eliminate fish populations, interfering with spawning, and all of these in combination.

Alternative 2 was selected over other alternatives because it is the alternative that would meet project objectives to expand genetically pure RGCT populations and distribution, provide habitat for native fishes within the project area by eliminating the non-native fishes, and implement a high quality recreational angling opportunity for RGCT.

Study of the ecologic and socio-economic effects of the proposal has shown them not to represent a negative impact on the quality of the human environment. NMDGF proposes to implement mitigation measures to avoid, reduce, or compensate for the effects of the action. Clean Water Act Sections 401 & 404 authorization will be received from the U.S. Army Corps of Engineers for barrier construction. The New Mexico Water Quality Control Commission approved a petition to use piscicides in the waters of the project area. If any previously-unrecorded cultural resources are encountered during fish barrier construction, work at that location will stop and the USFWS & NMDGF archaeologists will be contacted. Native fishes will be salvaged and restocked to reduce native fish mortality. Non-native trout will be salvaged and restocked in non-project waters for recreational fishing opportunities. To reduce piscicide exposure to people and wildlife, strict adherence to the piscicide label for transportation, storage, application, and personal protective equipment will be used, signs will notify the public of piscicide use. Juvenile amphibians, if observed, will be collected and held off-site to preclude piscicide exposure, and all piscicide killed fish will be collected and buried. Benthic macroinvertebrates and water quality will be sampled prior to and post-application of piscicides. Threatened and Endangered Species (bald eagle, southwestern willow flycatcher and the Mexican spotted owl) and the Candidate Species, yellow-billed cuckoo, were considered in this proposal. Determination was made of "no effect" for the Mexican spotted owl, southwestern willow flycatcher and yellow-billed cuckoo, and "may affect, is not likely to adversely affect" for the bald eagle. The project is not likely to have any effect on bald eagles.

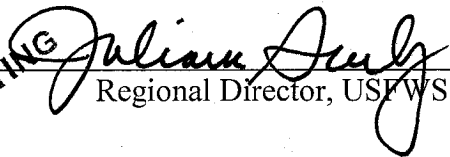
Socio-economic factor effects focused on angling opportunities and organic farms in the project area. The local economy effects will be negligible as implementation will occur in small segments over time. Although angling visits will be reduced as RGCT populations become established, they will likely increase following establishment as anglers take advantage of the opportunity to catch this subspecies of cutthroat trout. Local organic farmers will not be affected as they are located well below the project terminus point. Rapid degradation, neutralization, and spatial distance from the project terminus will ensure that piscicides do not jeopardize the farms' organic status. No portion of the project area is classified as wilderness and no waters in the project area are included within the National wild and Scenic River system.

Based on a review and evaluation of the enclosed environmental assessment and the supporting references cited below, I have determined that the restoration of the native fish community consisting of RGCT, RGS, RGC, and LND to appropriate segments of the upper Rio Costilla within VPR, RCCLA, and CNF, including removal of the non-native fishes within streams and lakes within the project area, is not a major federal action

which would significantly affect the quality of the human environment within the meaning of Section 102 (2) (c) of the National Environmental Policy Act of 1969. Accordingly, preparation of an environmental impact statement on the proposed action is not required.

A notice that a Draft Environmental Assessment (DEA) was completed for this project and the notice was published in the *Santa Fe New Mexican*, the *Albuquerque Journal* and the *Taos News* newspapers for a 30-day review period. Additionally, 427 agencies, individuals, tribes and organizations were contacted. Public comments were received from twelve individuals and/or organizations and responses to these comments were included into the Final Environmental Assessment (FEA).

The FEA is available upon request to the U.S. Fish and Wildlife Service, Division of Federal Assistance, P.O. Box 1306, Albuquerque, NM 87102. This environmental assessment has been adopted by the U.S. Fish and Wildlife Service according to rules contained in 40 CFR 1506.3.

**ACTING**   
Regional Director, USFWS

2-7-07  
Date

References:

Final Environmental Assessment - Restoration of Rio Grande Cutthroat Trout  
(*Oncorhynchus clarki virginalis*) and the Native Fish Community to the Upper Rio  
Costilla Watershed

Application for Federal Assistance F-81-M Project Statement

Application for Federal Assistance T-34-1 Project Statement

ESA Section 7 Biological Evaluation