Draft Tiered Site-Specific Environmental Assessment

Mora-San Miguel Electric Cooperative (MSMEC), Post-fire Debris Removal Project

Mora and San Miguel Counties, New Mexico

PA-06-NM-4652-PW-00307/GM -737782

May 2025

FEMA

Federal Emergency Management Agency
Department of Homeland Security
800 N. Loop 288
Denton, TX 76209

I. Introduction

In accordance with the Federal Emergency Management Agency's (FEMA) Instruction 108-1-1, a Programmatic Environmental Assessment for The State of New Mexico Watershed Resiliency and Post-Wildfire Treatment Projects (NM PEA, FEMA 2022) was prepared, and a Finding of No Significant Impact (FONSI) was issued on October 4, 2022 (Appendix A), pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations from the President's Council on Environmental Quality (CEQ; 40 CFR Parts 1500-1508). The purpose of this Tiered Site-Specific Supplemental Environmental Assessment (SEA) is to assess the possible environmental impacts of the proposed Mora-San Miguel Electric Cooperative (MSMEC) Hermit's Peak/Calf Canyon (HPCC) Post-fire Debris Removal Project and to determine whether to prepare an Environmental Impact Statement or a Finding of No Significant Impact (Appendix F). This SEA is being prepared in accordance with the October 2022 NM PEA. The focus of this Tiered SEA is on those areas of concern requiring additional discussion or analysis that are beyond the scope of the NM PEA; as identified in Section 10: Thresholds for Preparing a Tiered EA. Those areas of concern include impacts to geological and soil resources.

FEMA is aware of the November 12, 2024, decision in Marin Audubon Society v. Federal Aviation Administration, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, FEMA has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500–1508, in addition to DHS and FEMA's procedures implementing NEPA found in DHS Directive 023-01-01, DHS Instruction 023-01-001-01, FEMA Directive 108-1, and FEMA Instruction 108-1-1to meet the agency's obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

II. Purpose and Need

The Mora-San Miguel Electric Cooperative (MSMEC) (sub-applicant) has applied for FEMA Public Assistance (PA) funding through the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM) and FEMA under PA project worksheet (PW) number PA-06-NM-4652-PW-00307/ Grants Manager (GM)-737782, to protect critical utility lines throughout Mora and San Miguel Counties, New Mexico. In recent years the project area has experienced wildfires, flooding, mudflows, and straight-line winds that generated debris and approximately 126,324 hazardous trees dispersed along 176 miles of utility corridor owned and operated by MSMEC. These trees posed a direct threat to power lines, infrastructure, and health and human safety. Due to the imminent risk of falling hazardous trees on the power lines, either partially or completely, MSMEC cut down hazardous trees, in place, along the utility corridors. The dead and down trees in the project area pose a new threat by increasing vegetative and hazardous fuel loads that may intensify and expand wildfires into populated areas and habitat, interrupt power distribution for extended periods, and threaten lives and property throughout the counties. The increase in debris also poses a challenge to work crews when accessing utility lines inhibiting future emergency response operations. This could compound impacts and extend power outage response and repair timelines in the future. Therefore, there is a need to reduce the risk of future wildfires along the MSMEC utilities corridors and rights-of-way (ROW).

FEMA's PA program provides supplemental assistance to State, Local, Territorial, or Tribal (SLTT) governments and certain types of private nonprofit (PNP) organizations in the form of disaster grant assistance for debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged, publicly owned facilities to better ensure that communities can quickly respond to and recover from Presidentially declared major disasters or emergencies. PA is authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended ("Stafford Act"), Title 42 of the United States Code (U.S.C.) § 5121 et seq.

III. Alternatives

Two project alternatives are proposed in this SEA: 1) No Action Alternative and 2) Proposed Action Alternative—Conduct debris removal of hazardous trees along MSMEC system lines within the burn perimeter of the HPCC fires.

No Action Alternative

Under the No Action Alternative, nothing would be done to address the enhanced risk of wildfire due to excessive hazardous fuel loads located within the project area. This alternative would contribute to an increased accumulation of dead and down material, increasing hazardous fuel loads which would intensify the severity of wildfires in the future. This could result in wildfires spreading swiftly and uncontrollably throughout the project area, causing damage and destruction to critical infrastructure and principal points of utility. The risk of wildfire would continue to threaten human health and public safety as well as essential utilities and services provided to local communities. Elevated fire risk in the project area also poses threats to soil and slope stability which may accelerate erosion and increase the risk of landslides, debris/mud flows, and rapid flooding. Environmental and cultural resources would continue to face significant threats, including the degradation of sensitive habitats and wildlife corridors, the spread of invasive species, increased damage to or loss of cultural sites, and heightened challenges in reforestation efforts.

Proposed Action Alternative

The Proposed Action Alternative would remove wildfire hazardous fuels, composed of dead and down trees and vegetative material, along MSMEC power lines throughout San Miguel County and Mora County, New Mexico. The removal of hazardous fuels and debris would occur within a minimum 228-foot wide and maximum 300-foot-wide corridor (114 to 150-foot corridor on either side of the power line), spanning private and non-federal lands within the HPCC burn scar. The HPCC wildfire resulted in the burning of 341,471 acres of forest, causing significant damage to natural resources and infrastructure along approximately 176 miles of MSMEC power lines. A preliminary assessment was conducted which included three types of evaluations: (1) GIS analysis of the tree map dataset, (2) drone and remote sensing assessment, and (3) individual assessments. These assessments indicate the presence of up to 126,324 hazardous trees within the project area, which covers a maximum of 6,400 acres. The proposed corridor was established

by MSMEC and is based on the understanding that falling trees can throw branches and woody debris beyond their total height which can be one and half times the actual tree height.

MSMEC does not possess ownership of the trees or woody debris located within the power line ROW, therefore the private landowner would determine the final disposition of the debris based on a group of alternatives proposed by MSMEC. Landowners would choose to either have downed trees processed on-site or taken to a designated Debris Loading Site (landing) for off-site transport and disposal. Slash and small limbs would be chipped or masticated on-site and left. If woody debris were removed from private property it would be transported to a landing site and tracked by weight then transported to one of two permitted temporary debris staging and reduction (TDSR) sites for processing (Appendix B). Trees that were live and retain material integrity would be sold to local lumber mills, provided as firewood to landowners upon request, or salvaged to install temporary erosion control measures. Trees that lack sufficient structural quality would be salvaged for firewood or reduced by chipping, following the State of New Mexico Forestry best practices for invasive species control. The material would be staged at one of two TDSR sites that are easily accessible from an authorized road. The chips would first be broadcast on- site to a maximum depth of 3 inches above ground surface. Any excess chips, beyond that amount, would be transported via truck to commercial composting facilities throughout New Mexico. MSMEC would install and use erosion control measures such as water bars, berms, matting, and mulch broadcasting, when appropriate, to reinforce or stabilize soils and slopes as well as reduce or limit sedimentation outside of the project area.

Routine, existing road access and maintenance activities would be conducted to ensure that existing roadways are suitable for the entry of crews and equipment throughout the duration of the project. This effort would be coordinated with private entities as well as municipal, county, state, and potentially federal agencies involved in road maintenance in the area. The heavy equipment employed for these activities would include feller bunchers with swing booms, harvesters, masticators, forwarders, skidders, excavators with mulching heads, and industrial chippers. Additionally, equipment designated for debris transportation would consist of loaders, log trucks, self-loading log trucks, and hand-operated mechanized tools, such as chainsaws, along with standard vehicles for accessing the project site.

Continuous environmental monitoring would be conducted throughout the operation, including monitoring through an Automated Debris Management System (ADMS). Regular inspections would be performed to ensure that wood debris reduction and handling are conducted in accordance with established state protocols. TDSR sites would be restored to original conditions or an agreed-upon condition with the landowner. Mitigation measures and conditions for minimizing or avoiding impacts to the environment are discussed in Section VI. Mitigation and Grant Conditions. The sub-applicant would be responsible for complying with these best management practices (BMPs) and conditions.

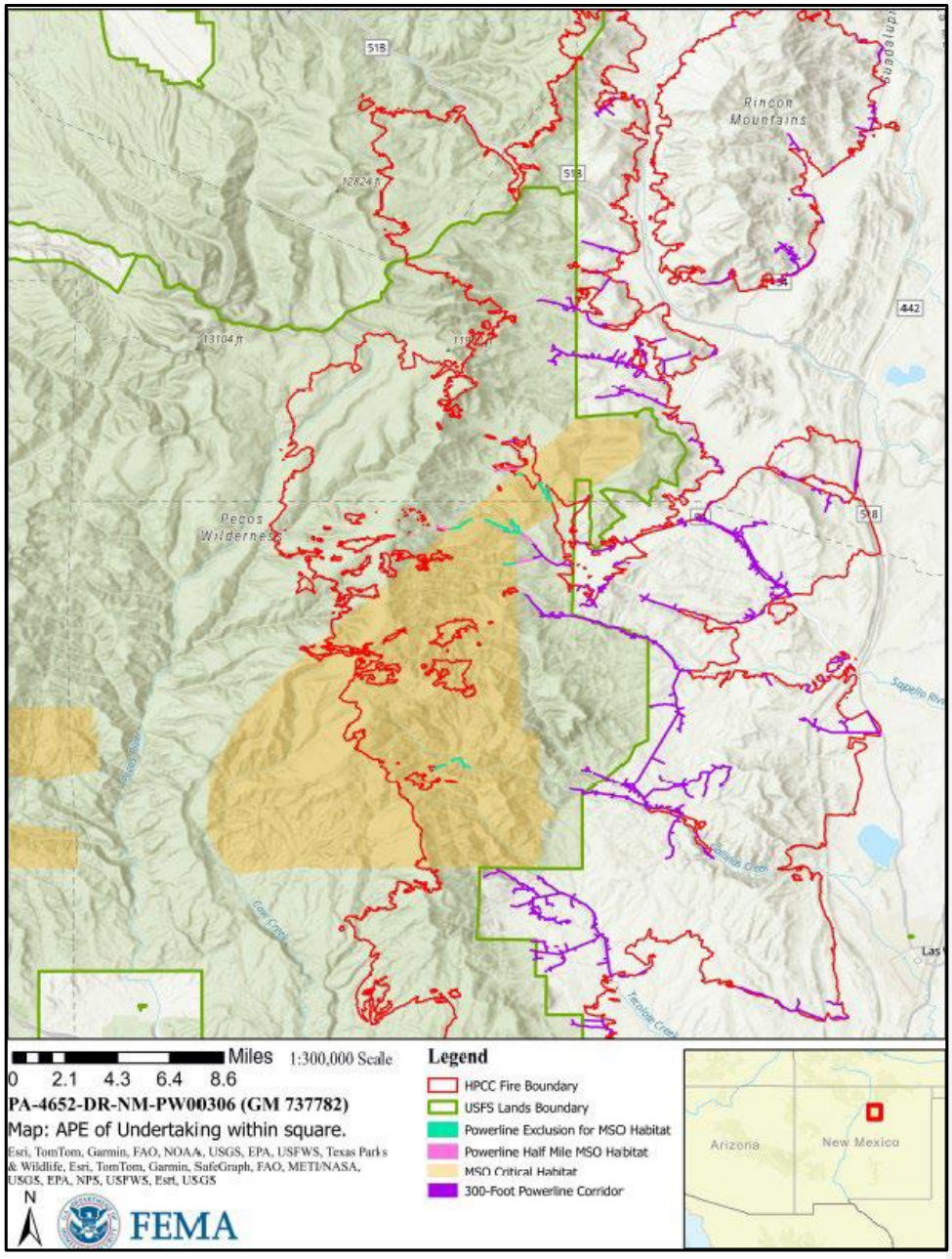

Figure 1. **Project Area**

IV. Environmental Impacts

Discussion of the environmental impacts associated with the No Action Alternative are included in the October 2022 NM PEA. This document incorporates the NM PEA by reference.

FEMA's environmental planning and historic preservation review reveals that all resource areas are appropriately accounted for in the NM PEA with the exception of impacts to geological and soil resources. Those impacts under the No Action and Proposed Action Alternatives are analyzed below. Table 1 provides a summary of the findings for the other environmental areas of concern that FEMA typically reviews.

Table 1: Summary of Impacts Under Laws/Regulations Identified in the NM PEA

Resource Area	No Action Impacts	Proposed Action Impacts
Air Quality	Implementation of the No Action Alternative increases the risk of wildfire, which could have short-term significant impacts to air quality.	This Proposed Action Alternative has been determined to be below the thresholds requiring site specific EA in NM PEA Section 10, precluding additional assessment. The Proposed Action Alternative results in negligible or short-term and minor adverse effects to air quality that will not result in a change in attainment status for any National Ambient Air Quality Standards (NAAQS). Significant adverse effects to air quality are not identified based on the Proposed Action Alternative project.
Water Resources	Implementation of the No Action Alternative could have short-term significant impacts to water quality and long-term significant impacts to floodplain characteristics through accelerated erosion and increased debris flow, heightening the frequency and intensity of flooding.	This Proposed Action Alternative has been determined to be below the thresholds requiring site specific EA in NM PEA Section 10, precluding additional assessment. The applicant shall ensure that best management practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. This includes equipment storage and staging of construction to prevent erosion and sedimentation to ensure that wetlands are not adversely impacted per the Clean Water Act and Executive Order 11990.

		Portions of the project are located within an A zone, area of 100-yr flooding, per Flood Insurance Rate Map (FIRM) panels 3500430015B, 35047C0075D, 35047C0450D, 35047C0850D, and 35047C0475D dated August 1, 1987, and December 3, 2010. The proposed action is not likely to result in any potential direct impacts that will adversely affect the natural values and function of floodplains, nor is it likely to increase the risk of flood loss. 8-step review in Appendix C.
Cultural Resources	No effect. Potential risks to cultural and historic resources from a wildfire event would remain.	This Proposed Action Alternative has been determined to be below the thresholds requiring site specific EA in NM PEA Section 10, precluding additional assessment. The effects of the Proposed Action Alternative are resolved through the New Mexico Programmatic Agreement among FEMA, the New Mexico State Historic Preservation Officer (SHPO), and the New Mexico Department of Homeland Security and Emergency Management (NM DHSEM) dated September 19, 2024 (2024 NM PA), and BMPs. No new ground disturbance would occur. The applicant has integrated BMPs and conditions, defined in Section VI. Mitigation and Grant Conditions, as requirements outlined in the scope or work (SOW) that eliminate potential effects to historic properties by the Undertaking. Tribal communities were requested to participate in the NM PEA, in letters dated June 13, 2022. The letters solicited tribal governments to gauge their interest as a participating agency. Response indicating interest from Tribal governments was obtained by Pueblo of Laguna and Pueblo of San Felipe on June 6, 2022; Pueblo of Taos on June 17, 2022; the Bureau of Indian Affairs Southwest Regional Office (BIA SWRO) on June 15,2022. FEMA has

		determined that the proposed project will not adversely affect.
Transportation Infrastructure and Traffic	No effect. Potential risks from a wildfire event would remain.	This Proposed Action Alternative has been determined to be below the thresholds requiring site specific EA in NM PEA Section 10, precluding additional assessment. The Proposed Action Alternative project will result in minor, short-term effects to transportation infrastructure and/or traffic, that are addressed through regulatory permit conditions and/or resource agency consultations.
Hazardous Substances	No effect. Potential risks from a wildfire event would remain including hazardous debris.	This Proposed Action Alternative has been determined to be below the thresholds requiring site specific EA in NM PEA Section 10, precluding additional assessment. The Proposed Action Alternative is limited to vegetative debris and erosion control measures. The Proposed Action Alternative project will result in negligible or short-term and minor adverse effects based on the use of hazardous substances.
Human Health and Safety	No effect. Potential risks from a wildfire event would remain.	No effect. This Proposed Action Alternative has been determined to be below the thresholds requiring site specific EA in NM PEA Section 10, precluding additional assessment. The Proposed Action Alternative will not result in disproportionate adverse health or safety effects to workers or children
Protected Species and Habitat	Implementation of the No Action Alternative increases the risk of wildfire, which could have short-term and long-term significant impacts,	No effect to listed species and/or designated critical habitat. This Proposed Action Alternative has been determined to be below the thresholds requiring site specific EA in NM PEA Section 10, precluding additional assessment.

	adversely affecting listed species by harming, killing, or displacing species during the wildfire and/or destroying designated critical habitat.	A Proposed Action Alternative project tiered from this PEA discourages the spread of invasive species by implementing regulations and BMPs according to NM guidance. Applicant would integrate conditions, defined in Section VI. Mitigation and Grant Conditions, as requirements outlined in the SOW that avoid or minimize threats to species listed species and/or designated critical habitat.

Geological and Soil Resources

An SEA tiered from the NM PEA was required because the Proposed Action Alternative exceeded the soil disturbance threshold of 500 acres, requiring a project-specific evaluation of potential environmental impacts from erosion and to designated protected farmlands. The Farmland Protection Policy Act (FPPA) of 1981, 7 U.S.C. 4201 et seq., was enacted to minimize conversion of prime and unique farmland and farmland of statewide or local importance to nonagricultural uses and to ensure that federal programs are compatible with local, state, and private programs and policies to protect farmland. Under FPPA, “farmland” does not include land already in or committed to urban development and is only applicable to federal assistance and actions that would convert farmland to nonagricultural uses (7 CFR, Part 658, Subsections (2)&(3)). Federal assistance and actions evaluated in this SEA **would not** convert farmland to nonagricultural uses. A review of Natural Resources Conservation Service (NRCS) soil data indicates approximately 26 percent, or 1675.9 acres, of the total project area is categorized as "Prime farmland if irrigated" or “farmland of otherwise important use”. However, the action is limited to the removal of vegetative hazardous fuels and debris and does not include any activities that would result in nonagricultural development or conversion of farmland. FEMA does not anticipate effects to designated protected farmlands and therefore, the assessment of effects related to FPPA are not evaluated further in this SEA.

The State of New Mexico’s Soil and Water Conservation District Act (the Act) relates to the conservation of soil resources. Soil and Water Conservation Districts (SWCDs) in Mora and San Miguel counties span two of the six geographic regions (Region 4 and 5) which are comprised of multiple independent districts. The SWCDs work together with the New Mexico Soil and Water Conservation Commission (SWCC), under the New Mexico Department of Agriculture (NMDA), Agricultural Programs and Resources Division. The SWCC serves as the state entity providing guidance and policy direction to the local SWCDs. The SWCC advises the NMDA concerning any matter that has a significant impact on or otherwise substantially affects soil and water conservation; and promulgates rules to carry out the provisions of the Act (NMSA 2025).

The existing conditions for soil resources in the project area are primarily defined by the ongoing drought conditions of the Southwest US, combined with the adverse effects of fire on soil properties. The National Oceanic and Atmospheric Administration (NOAA) began the U.S. Drought Monitor in 2000. According, to the US Drought Monitor, majority landmass of NM is characterized by severe, extreme, and exceptional drought conditions (NOAA 2022).

The NRCS maintains the Soil Data Access database. According to the NRCS (2025), 73 mapped soil units are present within the project area. Appendix B includes a detailed soil report defining and outlining all pre-fire soil types documented by NRCS in the project area.

Commented [GV1]: There are several documents in Appendix B. For clarity, I would add the name of the specific document that includes this data and then indicate that it is in Appendix B.

Soils stressed by wildfire and long-term drought conditions can become hydrophobic. Hydrophobic soils are soils that repel water, thus reducing the amount of water infiltration. Surface soils become hydrophobic after intense heating, such as with wildfire. Hydrophobic soils are formed when a waxy substance, derived from plant material, burns during a fire and penetrates the surface soil as a gas. As the gas cools it solidifies, forming a waxy coating around surface soil particles, thus decreasing the water infiltration capacity of the soils (USGS 2018). Four factors commonly influence the formation of this layer, including a thick layer of plant litter present prior to the fire; high-intensity surface and crown fires; prolonged periods of intense heat; and coarse textured soils or soils that have large pore space in between soil particles (NRCS 2000). However, even without the formation of hydrophobic soils, wildfire can significantly alter the hydrologic response of a watershed to the extent that even modest rainstorms can produce dangerous flash floods and debris flows (NRCS 2000).

The United States Geologic Service (USGS) conducts emergency assessments of post-fire debris flow hazards in the Southwest US. The assessments rely on empirical models to estimate the probability and volume of debris flows for selected basins in response to a design storm with a peak 15-minute rainfall intensity of 24 millimeters per hour (USGS 2018). The empirical models also combine historical debris flow occurrence and magnitude data, rainfall storm conditions, terrain, and soils information, and burn–severity data from recently burned areas (USGS 2018). The models do not predict downstream effects, potential debris-flow runout paths, and the areal extent of debris-flow or flood inundation (USGS 2018). According to the USGS, post-wildfire debris flow hazard assessments, NM includes recently burned basins with a high likelihood of debris flows (USGS 2018).

San Miguel and Mora Counties are located within three physiographic provinces, Rio Grande Rift, Southern High Plains, and Southern Rocky Mountains. Topographically, this includes the plains, the Las Vegas Plateau, Glorieta Mesa, and the Sangre de Cristo Mountains. The exposed formations include pre-Cambrian crystalline rocks, sediments of Carboniferous, Permian, Triassic, Jurassic, Cretaceous, Tertiary, and Quaternary age, and Quaternary extrusive rocks. (NMBMMR, 1951).

NO ACTION ALTERNATIVE

FEMA anticipates minor to moderate adverse effects to geological and soil resources based on the No Action Alternative. Under the No Action Alternative, FEMA would not provide funding to remove wildfire hazardous fuels or mitigate erosion. The No Action Alternative would result in an increased risk for wildfire within the project area, which could stress soils and reduce hydrologic responses, severely increasing the impacts of future floods and debris flows. The

enhanced risk of wildfire could advance erosion in the project area, producing landslides, debris/mud flows, and sedimentation which could cause extensive damage to natural and beneficial functions of wetlands and floodplains as well as manmade irrigation systems, utilities, roads, and property. The No Action Alternative has the potential to delay expedited flooding and erosion prevention actions, thereby increasing the risk of further damage to geologic resources in areas affected by wildfire.

PROPOSED ACTION ALTERNATIVE

FEMA anticipates the Proposed Action Alternative would have minimal short term adverse impacts and result in long term beneficial effects to geological and soil resources. In the short term, the Proposed Action Alternative has the potential to cause minor to moderate adverse effects to soil resources during site preparation and construction actions associated with post-wildfire treatments. MSMEC would use BMPs including erosion control structures such as water bars, berms, and mulch broadcasting to stabilize soils in the project area. In the long term, the Proposed Action Alternative has the potential for minor to moderate beneficial effects to geological and soil resources realized through a range of erosion mitigation actions that may decrease the likelihood of future debris flows and increase soil quality through increased water infiltration, management of invasive species, decay and retention of organic matter, and diversifying canopy densities. The project would also result in reduced cascading impacts to irrigation infrastructure due to erosion.

MSMEC would be required to analyze the project site's topographic and geologic site characteristics, susceptibility to soil collapsibility, mudslides, structural instability, excessive erodibility, or steep slopes and apply all applicable BMPs and permit conditions to minimize and avoid adverse effects to soils and erosion. Permit and project conditions are summarized in Section VI. The sub-applicant must comply with the conditions below in Section VI. Mitigation and Grant Conditions.

V. Cumulative Effects and Other Considerations

The CEQ defines cumulative effects as the effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

This cumulative effect analysis is prepared at a level of detail that is reasonable and appropriate to support an informed decision by FEMA and takes into consideration actions that relate to post-wildfire treatments that reduce the risk of loss of life and property caused by the effects of wildfire along the MSMEC distribution network. Consideration of past, present, and reasonably foreseeable future actions is limited to projects undertaken along the MSMEC corridor, with the potential to occur over the next five years. Future projects or actions anticipated to occur within the project area include MSMEC performing routine maintenance and conducting protection measures which include cutting damaged or dead trees that threaten the electrical distribution system.

Should these actions or projects involve federal funding, FEMA anticipates the activities would undergo a similar review under NEPA. FEMA anticipates the NEPA review of similar projects may result in consultations with appropriate local, state, and federal agencies and result in similar avoidance and minimization efforts to reduce effects to individual resources as are discussed in this SEA and the NM PEA. FEMA anticipates the potential for some unavoidable effects to the resource areas evaluated in this SEA to occur from the Proposed Action Alternative in combination with other past, present, and reasonably foreseeable future actions. FEMA anticipates any unavoidable effects to the evaluated resources described herein, from the cumulative action aimed at reducing the risk of loss of life and property caused by the effects of wildfire cycles would be limited and would not cumulatively affect the resource or rise to the level of significant adverse impact.

VI. Mitigation and Grant Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- Sub-applicant must coordinate with the local floodplain administrator, obtain required permits prior to initiating work, and comply with any conditions of the permit to ensure harm to and from the floodplain is minimized. All coordination pertaining to these activities should be retained as part of the project file in accordance with the respective grant program instructions.
- The applicant limits work activities to all of the following recommended best practices, compliance with the National Historic Preservation Act (NHPA) may be streamlined:
- All necessary permits for access points, staging areas, and study sites would be acquired prior to construction activity.

GEOLOGICAL AND SOIL RESOURCES

To avoid and minimize impacts to geological and soil resources, the applicant shall:

- Broadcast chipped and mulched material to a maximum depth of 3 inches above grade to minimize soil erosion, encourage restoration of soil structure, protect exposed/bare soil areas and control invasive species.
- All heavy equipment, transport trucks, vehicles, or equipment should be cleaned of mud and debris prior to mobilization.
- Designate/mark ingress and egress routes for each site. The number and size of entry and exit points for heavy equipment to move into and out of the site should be kept to the minimum needed for conducting operations, while also minimizing soil disturbance.
- Implement BMPs outlined in NMAC 19.20.4.9 for erosion management.

- Minimize the number and size of landings. Landings will be accessible to roads, located on 2 to 5 percent slopes, and will include measures to prevent or minimize discharges directly into a watercourse to within permitting requirements.
- Leave the downed, woody debris in the form of branches and limbs on site as for a sufficient time to allow for the natural regeneration of tree seedlings and for soil development as appropriate.
- Cover bare soil with erosion control materials, i.e. slash, erosion control mats, or mulch.
- The applicant must manage all vegetative debris, including staging and disposal, according to established U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) and state agency guidelines and regulations.
- Identify and enforce Streamside Management Areas (SMA) as defined in NMAC 19.20.4.9. Pursuant to NM Code within the SMA the applicant:
  (a) shall not locate landings;
  (b) shall design and flag skid trails in advance to minimize disturbance;
  (c) shall not construct new roads unless the permittee or owner shows that it is technically or economically infeasible to construct the road elsewhere or that the damage to the environment would be greater if the road was constructed elsewhere; if the division approves construction of a new road within a streamside management area, in addition to other requirements in Subsection F of 19.20.4.9 NMAC, the owner, permittee or responsible person or entity shall limit stream crossings to those that are essential with crossings at a right angle to the main channel and the approach to the crossing at a minimal grade; and
  (d) should use directional felling (NMAC 19.20.4.9).
- Monitor for invasive plant species that may colonize burned areas. Known noxious or invasive weed populations will be flagged and avoided during project activities (Appendix D).
- Decontaminate for invasive species on vehicles and equipment before entering the project area and when moving to a new project site if needed (Appendix D).

WATER RESOURCES

To avoid and minimize impacts to water resources, the applicant shall:

- Applicant must coordinate with the local floodplain administrator, obtain required permits prior to initiating work, and comply with any conditions of the permit to ensure harm to and from the floodplain is minimized. All coordination pertaining to these activities should be retained as part of the project file in accordance with the respective grant program instructions.
- The applicant is responsible for coordinating with and obtaining any required Section 404 Permit(s) from the United States Army Corps of Engineers (USACE) and/or any Section 401/402 Permit(s) from the State prior to initiating work. The applicant must comply with all conditions of the required permit(s). All coordination pertaining to these activities should be retained as part of the project file in accordance with the respective grant program instructions.
- Obtain/maintain a signed TDSR Permit from New Mexico Environmental Department (NMED) for all TDSR sites.
- Landings will not occur in sensitive riparian areas or wetlands.

CULTURAL RESOURCES

To avoid and minimize effects to historic properties under NHPA and cultural resources, the applicant shall:

- Flush cut trees or grind stumps to grade level without disturbing the ground surface.
- Not remove root balls and if needed, tip into nesting holes where possible following a flush cut tree removal.
- Use Erosion control mats in proximity to any identified historic properties.
- Leave root balls or stumps in place and take every precaution to ensure they remain in place if loosening or chaining of hydrophobic soils is necessary.
- Not place landings at locations that have known cultural resources.
- Minimize ground disturbance to within 4-6 inches of the current ground surface, and to previously disturbed areas.
- Limit all access routes to cutting areas, debris removal access routes, and staging of equipment to improved structures, driveways, and/or previously disturbed ROW.
- Obtain permits for TDSR sites from the SHPO prior to initiating work.
- If human remains or associated funerary objects are found, work must cease immediately in the vicinity of the remains pursuant to state law. Secure the area to protect the remains from further disturbance and contact FEMA and the local law enforcement agency (sheriff's office or city police) with jurisdiction over the area. Law enforcement will contact the Office of the Medical Investigator (OMI). If the OMI determines that the remains are without medicolegal significance, the OMI will terminate jurisdiction to SHPO. FEMA will, in coordination with the Tribes and with the assistance of a professional archaeologist, determine if the remains can be left in place and protected or if they need to be excavated by an archaeologist holding permit to excavate unmarked human burials. The Native American Graves and Repatriation Act (NAGPRA) does not apply to private property.
- In the event that archaeological deposits (soils, features, artifacts, or other remnants of human activity) are uncovered, or if archaeological deposits are found in tree root balls during the project, 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 resource. MSMEC shall inform NMDHSEM immediately, will secure all archaeological findings and restrict access to the area. NMDHSEM shall notify FEMA and FEMA will consult with SHPO, THPO and or Tribes with Ancestral Interest representatives as needed. Work in sensitive areas cannot resume until consultations have concluded or until an archaeologist permitted to conduct archaeological survey in the State of New Mexico determines the extent of the discovery.

PROTECTED SPECIES AND HABITAT

To minimize or avoid effects to protected species and habitat, the applicant shall:

- Clean all heavy equipment, transport trucks, and vehicles of mud and debris prior to mobilization.
- If vegetation reduction activities must occur during migratory nesting seasons, applicant will deploy a qualified biological monitor with experience conducting breeding bird surveys to survey the vegetation management 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 vegetation management methodology and equipment. 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.

- Advise all project-related staff (including contractors) on the appropriate implementation of BMPs.
- Define the boundaries of areas containing suitable habitat within the action area.
- Halt any and all activities in an area where it is determined that a potential unauthorized incidental "take" of any species may occur.
- Inspect work areas where suitable habitat or designated critical habitat (DCH) is present to ensure compliance with all BMPs for the duration of the proposed action. In addition, monitor action areas, as appropriate, at the beginning and end of each day for compliance with BMPs.
- Notify FEMA, U.S. Fish and Wildlife Service (USFWS), and New Mexico Department of Cultural Affairs (NMDCA) of any noncompliance with any BMP.

Mexican Spotted Owl

- Avoid work in project areas that overlap DCH for the Mexican Spotted Owl (MSO) between March 1 and August 31 ("MSO nesting season", Figure 1).
- Not exceed the ambient noise level for machine noise in the project area within a half mile noise buffer of MSO DCH during MSO nesting season. (Figure 1).
- Minimize impacts to terrestrial habitats by using existing roads and cleared staging areas.
- Not conduct low aerial flights over suitable recovery habitats or protected activity centers (PACs) in the project area during MSO nesting season.
- Not use drones (UAS) in or near PACs in the project area during MSO nesting season.

Southwestern Willow Flycatcher

- Avoid removal of vegetation, particularly dense cottonwood, willow and tamarisk vegetation, in areas with saturated soils or standing water (e.g., streams, rivers, pools, acequias, etc.) for work conducted between August 31 and April 1 (Figure 1).
- If identified vegetation must be removed in areas of suitable habitat, native understory plantings will be done where nonnative plants are removed under gallery forest cottonwood trees. Where possible, cottonwoods will be established to provide structural diversity to planting patches.
- If construction activities will occur during the flycatcher breeding season, protocol surveys are required to ensure no flycatchers are nesting in the proposed project area that could be impacted by noise disturbance. Should an active nest be found within 0.25 mile of the proposed project area, construction would cease until the nest is no longer active. If an active nest is observed during work activities, the USFWS biologist shall be contacted immediately. Employ a "no treatment zone" within a 1/4 mi buffer of occupied territories for flycatchers. The 1/4 mi buffer area will be well marked for work crews prior to the

commencement of work by flagging/taping and these materials must be promptly removed once work is complete (FEMA ESA Matrix, 2022).
- Equipment operation will take place in previously cleared areas or where vegetation is particularly sparse and unsuitable for flycatchers and all efforts would be made to minimize damage to native riparian vegetation.
- No native vegetation will be removed in suitable habitat areas.

New Mexico Meadow Jumping Mouse

- Avoid removal of vegetation in areas with saturated soils or standing water (e.g., streams, rivers, pools, acequias, etc.) for work conducted between October and late May.
- Avoid any controlled burning within waterway adjacent wet meadows, where feasible
- Not create slash piles in waterway adjacent meadows.
- Avoid impacts to streamside herbaceous vegetation composed of sedges and forbs that averages at least 24 inches in height within 100 meters of a waterway.
- Perform stream work between October thru late May during the inactive season for the New Mexico Meadow Jumping Mouse (NMMJM).
- In-stream actions should avoid or minimize to the degree possible travel through the adjacent wet meadow or riparian woody/herbaceous vegetation to access the stream project area.
- When working within suitable NMMJM habitat (i.e., riparian areas along waterways with tall herbaceous vegetation and/or scrub and herbaceous vegetative cover, up to 360 feet from the edges of waterways), workers will minimize ground disturbance by carefully walking through riparian and streamside vegetation, minimizing footsteps to avoid crushing vegetation and day nests used by mice. Where suitable NMMJM habitat is present, no heavy machinery will be operated within 66 feet of the stream edge.

VII. Public Comment

A public notice advertising the availability of this Draft SEA for public review and comment will be posted in the local newspaper of record, the NMDHSEM website at XXXX , and on the FEMA website at *https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa-repository* (Appendix E). The Draft SEA will be available at a local repository and at *https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa-repository*. A 15-day public comment period will commence on the initial date of the public notice. FEMA will consider and respond to all public comments in a Final SEA. If no substantive comments are received, the Draft SEA will become final and a Finding of No Significant Impact (FONSI) will be issued for the project.

VIII. List of Preparers/Reviewers

Shannon Halley, Preparer, Environmental Protection Specialist, FEMA Region 6
Thomas Thomson, Preparer, Historic Preservation Specialist, Secretary of Interior (SOI) Qualified Archaeologist, FEMA
Karissa Killian, Preparer, Environmental Protection Specialist, Biologist, FEMA Region 6
Byron Flournoy, Reviewer, Environmental Protection Specialist, FEMA Region 6

Sarah Carrino, Reviewer, Supervisory Environmental Protection Specialist, FEMA Region 6
Sean Doyle, Reviewer, Environmental and Historic Preservation Advisor, FEMA NMJRO, Region 6
LaToya Leger, Reviewer, Regional Environmental Officer, FEMA Region 6

References

FEMA. 2024. Programmatic Agreement Among the Federal Emergency Management Agency, The New Mexico State Historic Preservation Officer, And The New Mexico Department Of Homeland Security And Emergency Management; And Participating Tribes dated September 19, 2024.

FEMA. 2022. Programmatic Environmental Assessment for The State of New Mexico Watershed Resiliency and Post-Wildfire Treatment Projects. Accessed February 14, 2024. *https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa/programmatic-environmental-20*.

NRCS. n.d.. Web Soil Survey. Accessed April 29, 2025.https://www.nrcs.usda.gov/resources/data-and-reports/web-soil-survey.

NRCS. n.d.. Soil Survey Geographic Database (SSURGO). Accessed April 29, 2025. https://www.nrcs.usda.gov/resources/data-and-reports/soil-survey-geographic-database-ssurgo.

NRCS. 2000. Soil Quality Resource Concerns: Hydrophobicity, Soil Quality Information Sheet. Accessed April 29, 2025 https://nrcspad.sc.egov.usda.gov/DistributionCenter/pdf.aspx?productID=409.

New Mexico Administrative Code (NMAC) § 19.20.4.9 - Forest Harvest Practices Standards.

New Mexico Bureau Of Mines and Mineral Resources (NMBMMR). 1951. Geology and Ground-Water Resources of San Miguel County, New Mexico.

New Mexico Statutes Annotated (NMSA) 1978. Chapter 73 Special Districts, Article 20 Soil and Water and Watershed Conservation Districts. Accessed May 15, 2025.https://casetext.com/statute/new-mexico-statutes-1978/chapter-73-special-districts.

NOAA. National Integrated Drought Information System, Drought.gov. Accessed July 2022. https://www.drought.gov/states/new-mexico

Title 7 CFR Part 658 Farmland Protection Policy Act, Section 658.2 Definitions - 658.3 Applicability and exemptions. Accessed May 14, 2025. https://ecfr.io/Title-7/Part-658.

USDA. 2022. The Burned Area Report for the 2022 Hermits Peak Calf Canyon Fire.

USFWS. 2024. Biological Opinion for the Los Luceros Fire Mitigation Project (2023-0115709).

USFWS. 2023. Consultation No. 2023-0042806: - Hazard Tree Removal following the Hermit's Peak and Calf Canyon Fires on 20 private properties, Albuquerque, NM.

USFWS. 2024b. Consultation No. 2023-0115: Southwestern Willow Flycatcher, Yellow-billed Cuckoo, and their Critical Habitats and New Mexico Meadow Jumping Mouse. March 2014, Albuquerque, NM.

USFWS. 2023. Recovery Plan for New Mexico Meadow Jumping Mouse (Zapus hudsonius luteus). U.S. Fish and Wildlife Service, Southwest Region, Albuquerque, New Mexico.

USGS. 2018. Postfire Debris-Flow Hazards. Landslide Hazards Program, accessed May 5, 2025.https://www.usgs.gov/programs/landslide-hazards/science/postfire-debris-flow-hazards.

Appendix A

Finding of No Significant Impact (FONSI)
Programmatic Environmental Assessment for the State of New Mexico Watershed Resiliency and Post-Wildfire Treatment Projects

Appendix B

Agency Coordination:
State Historic Preservation Office (SHPO) Temporary Debris Staging and Reduction (TDSR) Location Permits

New Mexico Environmental Department Emergency (NMED) Debris Short-Term Staging Site Application Form

NRCS Prime and other Important Farmlands---Mora County Area, New Mexico; San Miguel County Area, New Mexico; and Santa Fe National Forest Area, New Mexico, Parts of Los Alamos, Mora, Rio Arriba, Sandoval, San Miguel and Santa Fe Counties

Appendix C

8-Step Review for EO 11988

Appendix D

MSMEC Scope of Work - Hermit's Peak/Calf Canyon Post-fire Debris Removal Plan. 2025. Mora-San Miguel Electric Cooperative, FEMA Event 4652DR-NM, Project Number 737782 (Category A), September 2024 - Update April 2025 V2

Appendix E

Draft SEA Public Notice

Appendix F

Finding of No Significant Impact (FONSI)
SEA for Mora/San Miguel Hazard Tree Debris Removal Plan