



**US Army Corps
of Engineers®**
Albuquerque District

PUBLIC NOTICE

Public Notice Issue Date:
January 24, 2013

**FINAL REGIONAL GENERAL PERMIT NM-12-01
UNDER SECTION 404 OF THE CLEAN WATER ACT (33 USC 1344)
AND SECTION 10 OF THE RIVERS AND HARBORS ACT (33 W.S.C. 403)**

FOR REPAIR AND PROTECTION ACTIVITIES IN EMERGENCY SITUATIONS

SUMMARY OF PROPOSED ACTION: The U.S. Army Corps of Engineers, Albuquerque District, hereby issues Regional General Permit (RGP) NM-12-01 for repair and protection activities in emergency situations within the State of New Mexico. The purpose of this public notice is to inform interested parties of the issuance of the RGP.

AUTHORITY: Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters and Section 404 of the Clean Water Act for the discharge of dredged or fill material in all waters of the United States.

AREA OF COVERAGE: The RGP is applicable to all waters of the United States, including wetlands, within the State of New Mexico.

SCOPE OF ACTIVITIES: RGP 12-01 authorizes discharges of dredged or fill material into Waters of the United States, including wetlands, and/or work or structures in Navigable Waters of the United States for necessary repair and protection measures associated with an emergency situation. An "emergency situation" is present where there is a clear, sudden, unexpected, and imminent threat to life or property demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services (i.e., a situation that could potentially result in an unacceptable hazard to life or a significant loss of property if corrective action requiring a permit is not undertaken immediately). Examples of work that maybe undertaken under this permit, upon authorization by the District Engineer (DE), include but are not limited to: levee construction, rebuilding or maintenance; removal of accumulated sediment, debris or vegetation to prevent or mitigate the emergency situation; bank stabilization to prevent or minimize erosion or the loss of structures such as bridges; debris containment structures; and construction of diversion channels and flow deflection structures. For a full description of the

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types of activities authorized by this RGP and the permit conditions, see the RGP on our website at <http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits/PublicNotices.aspx>.

LENGTH OF AUTHORIZATION: The RGP will expire five years from the date of issuance.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification has been provided by the New Mexico Environment Department for all areas in New Mexico excluding Indian lands. Other water quality certifications are described in the attached permit.

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