

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

AMENDED
FINAL ENVIRONMENTAL ASSESSMENT

for the

WATER SYSTEM IMPROVEMENT,
CITY OF JAL,
NEW MEXICO

May 2009

U.S. Army Corps of Engineers
4101 Jefferson Plaza Avenue NE
Albuquerque, New Mexico 87109

The Environmental Assessment (EA) for the Water System Improvement Project, City of Jal, New Mexico, dated October 14, 2005, is being amended because the location of the ground-level water storage tank has changed. The only changes in this amended Final EA reflect the change in location of the water storage tank.

Finding of No Significant Impact
Section 595 Water Resources Development Act
Water System Improvement
City of Jal, New Mexico

The U.S. Army Corps of Engineers (Corps), Albuquerque District, in cooperation with and at the request of the City of Jal, New Mexico, is planning to install a one million gallon ground-level water storage tank. The construction work would be conducted under Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 33 U.S.C. 2201 *et seq.*), as amended. The Act authorizes the Corps to provide assistance for design and construction for water-related environmental infrastructure and resource protection and development projects in Idaho, Montana, rural Nevada, New Mexico, and rural Utah. The City of Jal is the local sponsor. The proposed construction period is seven months and is expected to start in July of 2009.

The proposed project area for this tank is approximately one-acre. The input pipe for the storage tank would be eight inches in diameter while the output pipe would be six inches in diameter. A booster pump, which is a pump used to increase pressure in a water line, or to pull from a storage tank and pressurize a water system, would also be required for this system. Approximately 2,000 residents would benefit from the proposed water storage tank.

The change in location for the water storage tank is due to its proximity to the main well field, which is located nine miles south of this area. The original location for the water storage tank was at the opposite end of the city (see Figure 1). By changing the location, the main water line would not have to be placed through the city, and therefore, the system would be more efficient.

The Corps conducted a literature search, data search, and cultural resources inventory of the project area. No archaeological sites were found, and six isolated occurrences (IOs) of lithic artifacts were identified in the field. None of the IOs are considered eligible for listing in the National Register of Historic Places and no further work is recommended for these IOs. As a precaution, however, because four of these artifacts are located at the extreme southwest margin of the proposed staging area, the Corps has altered the boundary of the staging area to avoid these artifacts. Based on these results, the Corps is of the opinion that there would be no historic properties affected by the Jal Water Storage Tank project, and no impact on the historic and cultural resources of the region.

The proposed work would not affect waters of the United States regulated by Section 404 of the Clean Water Act (CWA); therefore a Section 404 Department of the Army (DA) permit would not be needed for the project. The proposed installation of the water storage tank would occur outside the floodplain and would not significantly alter any natural feature or use of the area. Therefore, the planned action is consistent with Executive Order 11988 (Floodplain Management). The proposed work complies with Executive Order 11990 (Protection of Wetlands) as no wetlands are within the project area.

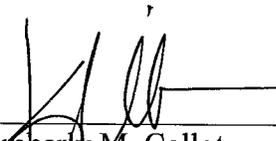
The potential effects of the proposed action are similar to the No-Action alternative, with the caveat that the No-Action alternative cannot meet the two-day minimum storage requirement

needed to maintain water service during periods of water supply disruption. In addition, the City of Jal does not currently have an adequate water supply for fire protection.

Only short-term, negligible adverse effects to land use, soils, air, noise, vegetation, and wildlife, would occur during construction. Minor effects to aesthetics would occur from the proposed construction. No impacts would occur to land use (long-term), climate, soils (long-term), air (long-term), wetlands or other waters of the U.S., special status species, floodplains, socioeconomics, environmental justice or cultural resources. Minor beneficial impacts would occur to human health and safety. The proposed project would not result in any moderate or significant, short-term, long-term, or cumulative adverse effects.

The planned action has been fully coordinated with federal, state, tribal, and local agencies with jurisdiction over the ecological, cultural, and hydrological resources of the project area. Based upon these factors and others discussed in detail in the Environmental Assessment, the planned action would not have a significant effect on the human environment. Therefore, an Environment Impact Statement will not be prepared for the proposed installation of the water storage tank.

15 JUNE 2009
Date



Kimberly M. Colloton
Lieutenant Colonel, U.S. Army
District Commander

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1.0 INTRODUCTION

1.1 Background and Location

The original Environmental Assessment (EA) for the Water System Improvement Project, City of Jal, New Mexico, dated October 14, 2005, is being amended because the location of the ground-level water storage tank has changed. The only changes in this amended Final EA reflect the change in location of the water storage tank.

The United States Army Corps of Engineers (Corps), Albuquerque District, in cooperation with and at the request of the City of Jal, New Mexico, is planning to construct a one-million-gallon ground-level water storage tank. The proposed storage tank is needed to meet a two-day water storage requirement for drinking water and sufficient capacity for emergency fire demand.

The rehabilitation work would be conducted under Section 595 of the Water Resources Act of 1999 (Public Law 106-53; 33 U.S.C. 2201 *et seq.*) as amended. The Act authorizes the Corps to provide assistance in the form of design and construction for water-related environmental infrastructure, resource protection, and development projects in Idaho, Montana, rural Nevada, New Mexico, and rural Utah. Types of projects included under the Act are: wastewater treatment and related facilities, stormwater retention and remediation, environmental restoration, surface water resource protection and development, and sewer and water line replacement.

Provisions under the Act require that the project be publicly owned to receive Federal assistance. As such, the non-Federal project sponsor is the City of Jal, New Mexico. The Act further requires that a cooperative agreement be established between the Federal and non-Federal interests. In general, the Federal share of project costs under each cooperative agreement is 75 percent of the total project costs.

The proposed project area is located within the City of Jal, Lea County, New Mexico (Figure 1). The construction of the water storage tank would take place on a property that is approximately one acre in size (see Figures 1 through 3).

Approximately 2,000 residents would benefit from the proposed water storage tank. The proposed construction period is seven months and is expected to start in July of 2009.

The original Environmental Assessment (EA) for the Water System Improvement Project, City of Jal, New Mexico, dated October 14, 2005, is being amended because the location of the ground-level water storage tank has changed. The change in location is due to its proximity to the main well field, which is located nine miles south of this area. The original location for the water storage tank was at the opposite end of the city (see Figure 1). By changing the location, the main water line would not have to be placed through the city, and therefore, the system would be more efficient. The only changes in this amended Final EA reflect the change in location of the water storage tank.

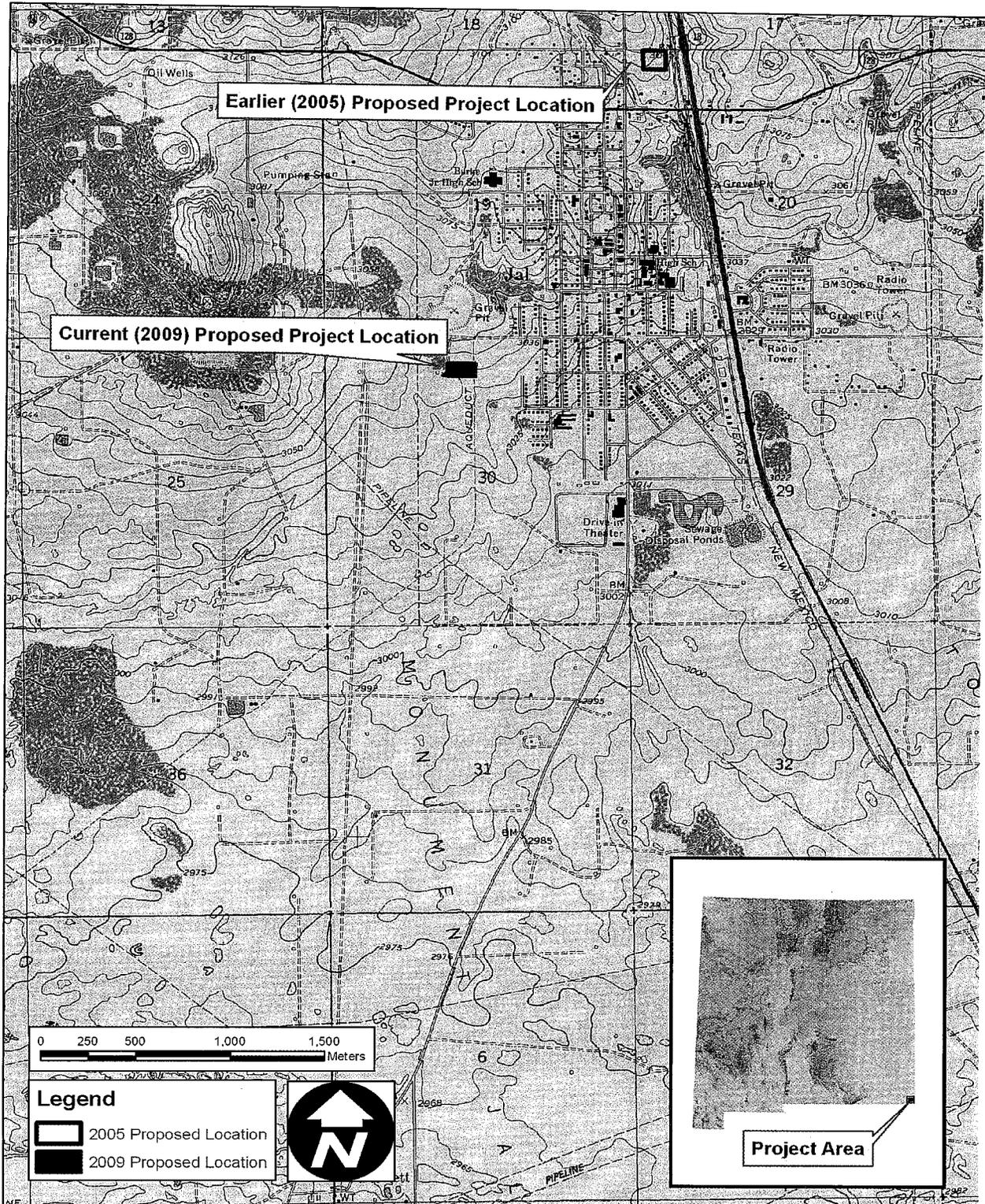


Figure 1: Vicinity Map and Change in Location of the Proposed One-Million-Gallon Ground-Level Water Storage Tank, City of Jal, Lea County, New Mexico.

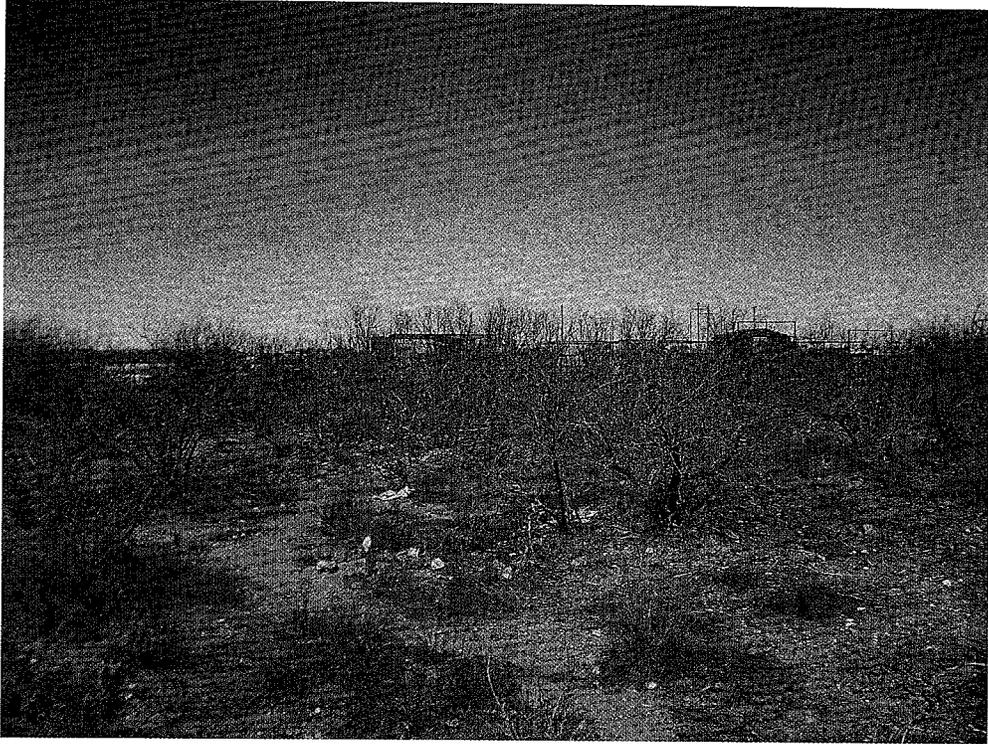


Figure 2. Site Visit Photo of One Acre Lot Looking North

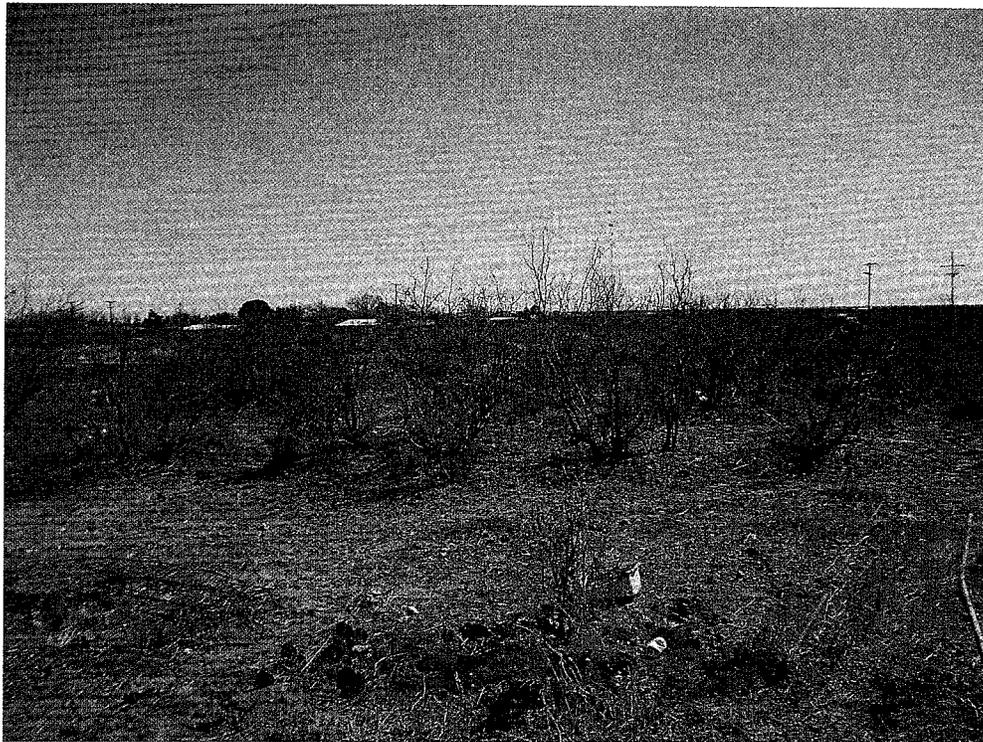


Figure 3. Site Visit Photo of One Acre Lot Looking South

1.2 Purpose and Need

The City of Jal water system currently includes three storage systems. Within the city boundaries, there is a 200,000 gallon elevated tank and a 500,000 gallon ground level tank. Another 500,000 gallon ground level tank is located nine miles southwest of the city. In the city's Water and Sewer Infrastructure Master Plan, written in 1998, and in a sanitary survey conducted in 2002 by the New Mexico Environmental Department (NMED), it was identified that the city should have an additional one-million-gallons of storage to meet a two-day storage requirement for drinking water and have sufficient capacity for emergency fire demand. NMED recommends that all community systems have at least 48 hours usage in storage. Presently, the City of Jal does not have an adequate amount of storage for a two-day requirement nor does it have sufficient storage for emergency fire demand.

1.3 Regulatory Compliance

This amended Final EA was prepared by the U.S. Army Corps of Engineers, Albuquerque District, in compliance with all applicable Federal Statutes, Regulations, and Executive Orders, including the following:

- Archaeological Resources Protection Act of 1979 (16 U.S.C. 470)
- Clean Water Act of 1972 and Amendments of 1977(CWA)
- Clean Air Act of 1972, as amended (42 U.S.C. 7401 *et seq.*)
- Endangered Species Act of 1973, (ESA) as amended (16 U.S.C. 1531 *et seq.*)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 1994
- Floodplain Management (Executive Order 11988)
- National Environmental Policy Act of 1969, as amended (42 U.S.C 4321 *et seq.*)
- Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500 *et seq.*)
- National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 *et seq.*)
- Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001 *et seq.*)
- Protection and Enhancement of the Cultural Environment (Executive Order 11593)
- Protection of Wetlands (Executive Order 11990)
- U.S. Army Corps of Engineers' Procedures for Implementing NEPA (33 CFR 230; ER200-2-2)
- Farmland Protection Policy Act of 1981, as amended (7 U.S.C. 4201 *et seq.*)

This amended Final EA also reflects compliance with all applicable State of New Mexico and local regulations, statutes, policies, and standards for conserving the environment such as water and air quality, endangered plants and animals, and cultural resources.

2.0 PROPOSED ACTION AND ALTERNATIVES

All agencies that assist or take part in projects that utilize Federal funding are mandated by the National Environmental Policy Act (NEPA) to evaluate alternative courses of action. Typically, alternatives are a set of different locations that satisfy certain defined project

criterion. However, alternatives can also include design considerations and/or attributes that may mitigate or reduce impacts generated by a given action. In general the NEPA process can provide decision makers with an evaluation of the present and future conditions with regard to the implementation and timing of an action at a given site. Finally, a particular design chosen from alternatives evaluated can then be implemented in the best interest of the public and environment.

2.1 Proposed Action

The proposed action involves the construction of a one-million-gallon water storage tank. The water storage tank sits at ground level and is approximately 21 inches in height. The proposed area for this tank is approximately one acre in size. The inlet pipe would be eight inches in diameter while the outlet pipe would be six inches in diameter. A booster pump, which is a pump used to increase pressure in a water line, or to pull from a storage tank and pressurize a water system, would also be required for this system. The location of the water storage tank and all staging areas would take place within the one acre property. The change in location for the water storage tank is due to its proximity to the main well field, which is located nine miles south of this area. The original location for the water storage tank was at the opposite end of the city (see Figure 1). By changing the location, the main water line would not have to be placed through the city, and therefore, the system would be more efficient. The proposed construction period is seven months and is expected to start in July of 2009.

2.2 Alternatives Considered

Other alternatives considered different sizes for the water storage tank. However, a one-million-gallon water storage tank was needed to meet the two-day storage requirement for drinking water and fire demand.

2.3 The No-Action Alternative

Under the No-Action alternative, there would not be any construction of the water storage tank. No federal funding would be expended and there would be no new effects to the project site or surrounding environment. However, the No-Action alternative would not support NMED's recommendations for all community systems to have at least a two-day usage in storage. The No-Action alternative should be perceived as an environmentally unsound course of action with regard to not having an adequate amount of storage for drinking water or a sufficient capacity for emergency fire demand.

3.0 EXISTING ENVIRONMENTAL AND FORESEEABLE EFFECTS

3.1 Physical Resources

3.1.1 Physiography, Geology, and Soils

The proposed project site includes soils of the Simona-Tonuco association (USDA 2009). This soil association is found within the southern deserts located in the southern half of

Lea County, at elevations range from 3,000 to 4,000 feet. The Simona-Tonuco soil association consists of nearly level to gently undulating, well-drained to excessively drained soils on uplands. The soils have a fine sandy loam to loamy fine sand surface layer. They are underlain by indurated caliche at a depth of less than 20 inches. They are forming in calcareous sandy sediments deposited over indurated caliche. This association makes up about eight percent of Lea County. Typically, Simona soils have a grayish-brown fine sandy loam surface layer and pale-brown fine sandy loam subsoil. Indurated caliche is at a depth of about 16 inches. Tonuco soils have a yellowish-red loamy fine sand surface layer over a layer of loamy sand. Indurated caliche is at a depth of about 17 inches. Simona and Tonuco soils are on plains and low ridges. This association is used for range, wildlife, and recreational areas.

3.1.2 Climate

Lea County has a semiarid, continental climate with warm summers, cool, dry winters, and ample sunshine (USDA 2009). Moisture from the Gulf of Mexico moving from the southeast is the primary source of rainfall. Temperatures are a little warmer in the southern and western parts of the county in the northern part. Lea County is one of the warmer parts of New Mexico. Summer temperatures of 90 degrees F or more occur about 66 percent of the time. Winter temperatures reach the freezing point on about 66 days. Average annual precipitation in the southern part of Lea County is 12 inches. Approximately 80 percent of the annual rainfall occurs in the six-month period of May through October, much of it in brief but heavy thundershowers. Average annual snowfall in the southern part of Lea County is four inches. Nearly half the winter months, on the average, have no measurable snowfall. The average frost-free season for the soil association described above ranges from 190 to 205 days, from April to late October. The average annual relative humidity of the county is 45 to 50 percent. From November through April surface winds in Lea County are mostly from the southwest, and from May through October, they are from the southeast. The average annual wind velocity is 12.2 miles per hour, with monthly averages ranging from ten miles per hour in October to 15.0 miles per hour in March. The information in this section was obtained from the soil survey from Lea County (USDA 2009).

3.1.3 Water Resources

Section 402 of the Clean Water Act (CWA; 33 U.S.C. 1251 *et seq.*) as amended, regulates point-source discharges of pollutants into waters of the United States and specifies that storm-water discharges associated with construction activities shall be conducted under the National Pollution Discharge Elimination System (NPDES) guidance. Construction activities associated with storm-water discharges are characterized by such things as clearing, grading, and excavation, subjecting the underlying soils to erosion by storm-water, which results in a disturbance to one or more acres of land. The NPDES general permit guidance would apply to this project because the total project area is approximately one acre. Therefore, a Storm-Water Pollution Prevention Plan (SWPPP) is required and would be prepared by the Corps or their contractor for this project. Impacts from storm-water are expected to be negligible.

Section 404 of the CWA, (CWA; 33 U.S.C. 1251 *et seq.*) as amended, provides for the protection of waters of the United States through regulation of the discharge of dredged or fill

material. The Corps' Regulatory Program (33 CFR Parts 320-330) requires that a Section 404 evaluation be conducted for all proposed construction that may affect waters of the United States. Section 404 of the CWA does not apply to this project, as there would be no discharge of dredged or fill material into waters of the United States.

Section 401 of the CWA, (CEA; 33 U.S.C. 1251 *et seq.*) as amended, requires that a Water Quality Certification Permit be obtained for anticipated discharges associated with construction activities or other disturbance within waterways. Section 401 of the CWA does not apply to this project, as there would be no discharge associated with construction activities or other disturbance within waterways.

3.1.4 Floodplains and Wetlands

Executive Orders 11988 (Floodplain Management) provides Federal guidance for activities within the floodplains of inland and coastal waters. The order requires Federal agencies to take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health, and welfare, and to restore and preserve the natural and beneficial values served by floodplains. The proposed project area is not located within any special flood hazard areas inundated by the 100-year flood. It is located in Zone C of the floodplain map, which is designated as areas that are outside the 500-year flood (Flood Insurance Rate Map 1985). Approximately 300 feet east of the proposed project location is an area designated as Zone A, which indicates areas of 100-year flood. However, the proposed project location is well outside of the 100-year flood and would therefore not constitute any alterations or development within the historical floodplain and would have no new impacts to the historical or current floodplains. Executive Order 11990 (Protection of Wetlands) requires the avoidance, to the greatest extent possible, of both long and short-term impacts associated with the destruction, modification, or other disturbance of wetland habitats. There are no wetlands within the project area, and therefore, no impacts to wetlands would occur.

3.1.5 Air Quality, Noise, and Aesthetics

The City of Jal is in New Mexico's Air Quality Control Region No.5 for air quality monitoring and Lea County is "in attainment" (does not exceed State and Federal Environmental Protection Agency air quality standards) for all criteria pollutants (NMED/AQB 2009). However, in 2003, a violation of the federal standard for particulate matter occurred, requiring the creation of the Lea County Natural Events Action Plan to avoid nonattainment (NMED/AQB 2009). Air quality in the project area is generally good. All vehicles involved in transporting rubble and spoil from the project site to the deposition area will be required to have passed a current New Mexico emissions test and have required emission control equipment.

The closest Class I area is Carlsbad Caverns National Park, which is approximately 68 miles (109 kilometers) to the west of the project area. Class I areas are special areas of natural wonder and scenic beauty, such as national parks, national monuments, and wilderness areas, where air quality should be given special protection. Class I areas are subject to maximum limits on air quality degradation.

The proposed project would result in a temporary but negligible increase in suspended dust particles from construction activities. Equipment with water sprinklers would be used during construction to minimize dust. A Fugitive Dust Control Permit is needed when there will be surface disturbance to three-quarters of an acre or more. Because the proposed project would disturb more than three-quarters of an acre, the contractor will need to apply and obtain an approved permit from the New Mexico Environmental Department. Air quality in the City of Jal, Lea County and Carlsbad Caverns National Park would not be affected by the proposed project or by the no-action alternative.

Background noise levels in the proposed project area are relatively low. According to the Noise Center for the League for the Hard of Hearing (League for the Hard of Hearing, 2004), a typical, quiet residential area, has a noise level of 40 decibels. A residential area near heavy traffic has a noise level of 85 decibels. Heavy machinery has a noise level of 120 decibels. During construction, noise would temporarily increase in the vicinity during vehicle and equipment operation. The Noise Center advises that noise levels above 85 decibels will harm hearing over time and noise levels above 140 decibels can cause damage to hearing after just one exposure. However, the increase in noise during construction would be minor and temporary, ending when construction is complete. Therefore, the proposed project would have no significant affect on ambient sound levels.

Aesthetically, the project area is characterized by houses, streets, an animal pen and open land. The area receives minimal recreational use with the intent of viewing scenery. Due to the openness of the land, the 21-foot water storage tank would change the scenery in the area. The recommended plan would have a minor effect on aesthetic conditions.

3.2 Biological Resources

3.2.1 Vegetation Communities

The project area is part of the semidesert grassland biotic community as described by Brown (1982). Soils and vegetation of the project sites have been greatly disturbed by urbanization over the years. A site visit on February 18, 2009, by Corps personnel revealed very scattered vegetation consisting of Christmas cholla (*Cylindropuntia leptocaulis*), wolfberry (*Lycium barbarum*), prairie dropseed (*Sporobolus heterolepis*), narrowleaf yucca (*Yucca angustissima*), plains prickly pear (*Opuntia polyacantha*), honey mesquite (*Prosopis glandulosa*), and flixweed (*Descurainia sophia*). Impacts to vegetation are not substantial or would not significantly alter the vegetation of the area. There would be only minor effects to the vegetation from the proposed project and no effect to vegetation would occur from the no-action alternative.

Construction equipment shall be cleaned prior to entering and departing the project corridor to minimize the spread and establishment of non-native invasive plant species.

3.2.2 Wildlife

A variety of mammals are well represented and expected to occur within the semidesert grassland biotic community. According to Brown (1982) some of these species may include: black-tailed jackrabbit (*Lepus californicus*), cottontail rabbit (*Sylvilagus floridanus*), spotted ground squirrel (*Spermophilus spilosoma*), white-footed mouse (*Peromyscus leucopus*), southern plains woodrat (*Neotoma micropus*), coyote (*Canis latrans*), burrowing owl (*Athene cunicularia*), scaled quail (*Callipepla squamata*), prairie falcon (*Falco mexicanus*), eastern meadowlark (*Sturnella magna*), loggerhead shrike (*Lanius ludovicianus*), barn swallow (*Hirundo rustica*), western green toad (*Bufo debilis insidiosus*), desert grassland whiptail (*Cnemidophorus uniparens*), western hooknose snake (*Ficimia cana*), southwestern earless lizard (*Holbrookia texana scitula*), and desert box turtle (*Terrapene ornata luteola*). These are just a few of the species that may frequent the area. The only wildlife observed during the site visit was a cottontail rabbit.

The proposed project work would be confined to the one acre area and wildlife displaced during installation would be minimal. The habitat type mentioned above exists throughout the area and is not confined to the one acre property. No significant adverse affects would occur to wildlife as a result of the proposed project or the no-action alternative.

3.2.3 Special Status Species

Three agencies have primary responsibility for protecting and conserving plant and animal species within the proposed project area. The United State Fish and Wildlife Service (USFWS), under authority of the Endangered Species Act of 1973 (16 U.S.C. 1531), as amended, has the responsibility for federally listed species. The New Mexico Department of Game and Fish (NMDGF) has the responsibility for state-listed wildlife species. The New Mexico Department of Minerals, Natural Resources, Forestry Division, has the responsibility for state-listed endangered plant species. The State species list indicates that are no special status plant species that occur in Lea County (New Mexico Rare Plants Technical Council 2009 Website [<http://nmrareplants.unm.edu/>]).

Each agency maintains a continually updated list of species that are classified, or are candidates for classification, as protected based on their present status and potential threats to future survival and recruitment into viable breeding populations. These types of status rankings represent an expression of threat level to a given species survival as a whole and/or within local or discrete populations. Special status species that potentially occur in Lea County and may occur near the proposed project area are listed in Table 1 and described in more detail below.

Table 1. Special Status Species Listed for Lea County, New Mexico.

Common Name	Scientific Name	Federal Status (USFWS) ^a	State of New Mexico status (NMDGF) ^b
Animals			
Bald Eagle	<i>Haliaeetus leucocephalus</i>	---	T
American Peregrine Falcon	<i>Falco peregrinus anatum</i>	---	T
Bell's Vireo	<i>Vireo bellii</i>	---	T
Baird's Sparrow	<i>Ammodramus bairdii</i>	---	T
Northern Aplomado Falcon	<i>Falco femoralis septentrionalis</i>	E	E
Lesser Prairie Chicken	<i>Tympanuchus pallidicinctus</i>	C	---
Sand Dune Lizard	<i>Sceloporus arenicolus</i>	C	E
Least Tern	<i>Sterna antillarum athalassos</i>	E	E
Broad-billed Hummingbird	<i>Cynanthus latirostris magicus</i>	---	T
Artic Peregrine Falcon	<i>Falco peregrinus tundrius</i>	---	T

^a **Endangered Species Act (ESA)** (as prepared by U.S. Fish and Wildlife Services) **status:** Only Endangered and Threatened species are protected by the ESA.
E= Endangered: any species that is in danger of extinction throughout all or a significant portion of its range.
T= Threatened: any species that is likely to become and endangered species within the foreseeable future throughout all or a significant portion of its range.
C= Candidate: taxa for which the Services has on file sufficient information on biological vulnerability and threat(s) to support proposals to list them as endangered or threatened species.

^b **State of New Mexico status:**
E= Endangered Animal species whose prospects of survival or recruitment within the state are in jeopardy.
T= Threatened Animal species whose prospects of survival or recruitment within the state are likely to become jeopardized in the foreseeable future.

The Baird's Sparrow, a State Threatened species, favors shrubby short-grass habitats. The sparrow is a migrant to New Mexico, occurring mainly in autumn and primarily in the eastern plains and southern lowlands, but is considered rare to uncommon and a vagrant. The sparrow may fly over the construction area during migration; however, due to the ease of mobility and the limited disturbance of the proposed project, there would be no effect to Baird's sparrow.

The American Peregrine Falcon is a Federally delisted species with an approved recovery plan, and a State threatened species. The peregrine falcon may fly over the construction area during spring and fall migrations. The peregrine prefers breeding habitat that is in isolated wooded areas with cliffs that create "gulfs" of air in which the peregrine may forage. The Peregrine's preferred wooded-forested habitat does not occur in or near the project area. Due to the ease of mobility of the peregrine, the limited disturbance of the proposed project and the lack of preferred habitat in the project area, there would be no effect to the American Peregrine Falcon.

The Bald Eagle, a State Threatened species, is normally found near major waterways and larger lakes where adequate food supplies may be found. The Bald Eagle is known to occur in New Mexico primarily during the late fall and winter months. The Bald Eagle utilizes large trees for perching and forages primarily for fish, ducks, and carrion along rivers and at local reservoirs. No preferred habitat exists within or near the project area. Due to the lack of preferred habitat and the limited disturbance of the proposed project, there would be no effect to the Bald eagle.

The Northern Aplomado Falcon is a Federal and State Endangered species. This species' preferred habitat consists of grassy plains interspersed with mesquite, cactus, and yucca. They are found in grasslands and shrublands at lower elevations (2800-5500 ft.). They prefer open terrain with scattered trees and low ground cover. They need a good supply of suitable nesting platforms. The species has been little observed by recent workers in the U.S., but past records indicate that in New Mexico it has been typically associated with yucca grassland and adjacent shrubby habitats at lower elevations. The bird is reported to be a rapid and graceful flyer, but it also spends much time perched, including on the ground. Due to the lack of suitable habitat and the limited disturbance of the proposed project, there would be no effect to the Northern Aplomado Falcon.

There would be no effect to rare plants since there are no status plant species that occur in Lea County (New Mexico Rare Plants Technical Council Website).

3.3 Cultural Resources

On February 18, 2009, a Corps archaeologist conducted a 2.9-acre intensive pedestrian survey of the project area, including the one-acre plot which will contain the water tank, pump house, and associated structures; the location on and around the water line running parallel to and forming the eastern margin of the plot containing the water tank, which will be replaced; and an additional area of approximately one acre immediately adjacent to the construction footprint, to be used for staging.

No archaeological sites were identified during the survey. Recent historic trash is found throughout the survey area, in particular the area near the northern margin of the survey area adjacent to an animal pen. Six isolated occurrences (IOs) were identified in the field; all but one are chipped stone fragments (debitage), and the other is an expedient retouched lithic tool. All IOs are white chert, and data on all of them were recorded in the field. None of the IOs are considered eligible for listing in the National Register of Historic Places and no further work is recommended for these IOs. As a precaution, however, because four of these artifacts are located at the extreme southwest margin of the proposed staging area, the Corps has altered the boundary of the staging area to avoid these artifacts.

Based on these results, the Corps is of the opinion that there would be no historic properties affected by the Jal Water Storage Tank project, and no impact on the historic and cultural resources of the region. Consistent with the Department of Defense's American Indian and Alaska Native Policy, signed by Secretary of Defense William S. Cohen on October 20, 1998, and based on the State of New Mexico Indian Affairs Department's 2009 Native American

Consultations List, comments and concerns from American Indian Tribes that have indicated they have an interest in Lea County were sent scoping letters regarding the proposed project. To date, the Corps is unaware of and has not received any indication of tribal concerns that would impact this project. The Corps has no knowledge of any Traditional Cultural Properties (TCPs) within or adjacent to the project area.

Pursuant to 36 C.F.R. 800.13, should previously unknown artifacts or cultural resource manifestations be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and a mitigation plan would be formulated in consultation with the New Mexico State Historic Preservation Officer and with American Indian Tribes that have cultural concerns in the area.

3.4 Land Use and Socioeconomic Considerations

The City of Jal is located in southern Lea County, New Mexico. The total population of Jal, New Mexico in 2007 was estimated to be 2,062 (U.S. Census Bureau, 2009). Within the City of Jal, the ethnic background is: Anglo, 66.4%; African American, 0.6%; Native American, 1.4%; Asian, 0%; and some other race, 27.1%. Hispanics or Latinos (of any race) make up 42.0% of the population in Jal. The per capita income in Lea County in 1999 was \$21,587 (U.S. Census Bureau, 2009). The average annual unemployment rate for Lea County in January 2009 was 3.4% (New Mexico Department of Labor, updated June 2009). The top five industries in 2008 were mining, health care/social assistance, construction, retail trade, and accommodation/food services. Also, Lea County is home of the single most important oil discovery in the history of the state of New Mexico. On an average, Lea County ranks first in oil production and forth in natural gas production (Lea County Facts, 2009).

The proposed project would take place entirely within the one-acre property. Presently, it is an abandoned, open lot. The proposed water storage tank would benefit approximately 2,000 residents. Adjacent property includes open land, houses, streets, and an animal pen. The proposed project would not affect land use or socioeconomic resources in the project area.

3.5 Human Health and Safety

Currently, the City of Jal has 700,000 gallons of water storage inside the city limits (a 500,000 ground tank and a 200,000 overhead tank) and another 500,000 gallons of water storage at the West Field, which is located nine miles southwest of the city. In general, it has been recommended that on a small water system, two days of storage during average water use periods be considered the minimum needed to maintain water service during periods of water supply disruption. For the City of Jal, therefore, 1.65 million gallons of in-town storage would be needed to meet a two-day storage supply. Currently, they only have 1.2 million gallons. Also, although the existing in-town storage is 700,000 gallons, the 500,000 gallon ground level reservoir is not equal to the 200,000 gallon elevated reservoir. Therefore, if there were a power outage or failure of the booster pump, the 500,000 gallons would not be available for use system wide. In addition, the present booster station at the 500,000 gallon reservoirs is not designed to provide fire flow demand.

The proposed installation of the one million gallon water storage tank would enable the City of Jal to have at least two days of water storage in times of water supply disruption. In addition, the proposed storage tank would be designed to provide fire flow demands for fire protection. Human health and safety would be beneficially affected due to the proposed project.

3.6 Hazardous, Toxic and Radioactive Waste

An evaluation of public records obtained from a private data vendor, findings from interviews that were conducted with individuals familiar with the Study Area, and observations made during a site reconnaissance visit, made on the 27th and the 28th of January 2009, led to the conclusions that there are no hazardous, toxic, or radiological waste (HTRW) sites within the Study Area.

However, there is a potential hazard associated with the existing, buried, main water line along the western border of the property. The main water line is transite pipe which is an asbestos containing material. During the Water System Improvement Project, this pipe will be cut to connect the new water storage tank to the system. This work will be closely monitored and completed according to technical specifications which will reduce any threat to public safety or the environment.

In the event that any unidentified wastes are generated or encountered during construction activities the contractor will be required to notify the Contracting officer in accordance with Specification 01 35 29 Safety and Occupational Health, Section 3.2.2 Unforeseen Hazardous Materials and comply with the following regulations: ER 385-1-05 Safety and Occupation Health Requirements for Hazardous, Toxic, and Radioactive Waste Activities, and ER-200-3 Environmental Compliance Policies. The Contracting Officer may also impose additional Health and Safety and Environmental Compliance requirements.

This work was performed under a Phase I Environmental Site Assessment (ESA), which was conducted in accordance with the protocol established in American Society for Testing and Materials (ASTM) Standard E 2247-02, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property. The Phase I ESA report supports the Study and is included in the Technical Appendix.

Interviews with the Chief of the Jal Volunteer Fire Department and with Mr. Gregg Fulfer, the property owner, did not reveal any evidence or knowledge of dumping of contaminating substances on or adjacent to the Study Area.

3.7 Environmental Justice

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Low-Income Populations; February 11, 1994) was designed to focus the attention of federal agencies on the human health and environmental conditions of minority and low-income communities. It requires federal agencies to adopt strategies to address environmental justice concerns within the context of agency operations and proposed actions. In an accompanying memorandum, President Clinton emphasized that existing laws, such as the National

Environmental Policy Act (NEPA), should provide an opportunity for federal agencies to assess the environmental hazards and socioeconomic impacts associated with any given agency action upon minority and low-income communities. In April of 1995, the EPA released a guidance document entitled Environmental Justice Strategy: Executive Order 12898. In short, this document defines the approaches by which the EPA will ensure that disproportionately high environmental and/or socioeconomic effects on minority and low-income communities are identified and addressed. Further, it establishes agency wide goals for all Native Americans with regard to Environmental Justice issues and concerns.

The City of Jal's Wastewater System Improvement Project would be conducted under Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 33 U.S.C. 2201 *et seq.*) as amended. This program is largely intended to provide needed assistance (technical, financial, etc.) to communities in which water resources are degrading and in need of improvement. As such, this project would benefit an area within a minority and low-income community. No adverse impacts on minority and low-income populations are expected. Under the definition of Executive Order 12898, there would be no adverse environmental justice impacts under the proposed action.

3.8 Cumulative Impacts

NEPA defines cumulative effects as "...the impact on the environment which results from the incremental impact of the action when added to other, past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions."

The footprint of the proposed project lies within a rural area. However, there was a great extent of development that occurred due to the City of Jal being a boom and bust oil town. Since the construction work primarily involves the installation of the water storage tank, most environmental impacts associated with the proposed project would have occurred from previous development activities. These impacts have stabilized and have been considered the baseline against which impacts of the proposed project have been compared. Installation of the million-gallon storage tank would occur on already disturbed ground. This would not significantly impact the current conditions of the local environment. For these reasons, the proposed project when combined with past, present, or future activities within the City of Jal would not significantly add to or raise local cumulative environmental impacts to a level of significance.

3.9 No-Action Alternative

The potential effects of the proposed action are similar to the No-Action alternative, with the caveat that the No-Action alternative cannot meet the two-day minimum storage requirement needed to maintain water service during periods of water supply disruption. In addition, the City of Jal does not currently have an adequate water supply for fire protection.

4.0 CONCLUSIONS AND SUMMARY

The proposed action evaluated in this amended Final EA addresses the method and potential effects for the installation of the million-gallon water storage tank.

Due to the previously disturbed and well-developed region of the project area, impacts to the environment would be non-significant and short-term. The proposed water storage tank would benefit approximately 2,000 residents. The proposed project would not result in any moderate or significant, short-term, long-term, or cumulative adverse effects. Therefore, construction of the proposed project would not significantly affect the quality of the human environment and is recommended for implementation.

Only minor changes would occur due to the change in location for the water storage tank. By changing the location, the main water line would not have to be placed through the city, and therefore, the system would be more efficient. The proposed project area is very similar in habitat type and other conditions to that of the prior location. A change in effects would not occur due to this change in location. The original Final EA for the Water System Improvement Project, City of Jal, New Mexico, dated October 14, 2005, is available to reference along with this Final Amended EA at the following site: <http://www.spa.usace.army.mil/fonsi/>.

5.0 PREPARATION, CONSULTATION AND COORDINATION

5.1 Preparation

This amended Final EA was prepared for the City of Jal by the U.S. Army Corps of Engineers, Albuquerque District (USACE). Personnel primarily responsible for preparation include:

Danielle A. Galloway	Biologist, USACE, Albuquerque District
Jonathon E. Van Hoose	Archaeologist, USACE, Albuquerque District
Martin S. Carpenter	Ordinance Explosive Safety Specialist, USACE, Albuquerque District
Michael P. Martinez	Project Manager, USACE, Albuquerque District

5.2 Quality Control

This amended Final EA has been reviewed for quality control purposes. Personnel who reviewed this amended Final EA include:

William R. DeRagon	Senior Biologist, USACE, Albuquerque District
Greg D. Everhart	Senior Archaeologist, USACE, Albuquerque District
Julie A. Alcon	Supervisory Ecologist, Albuquerque District
Cecilia V. Horner, P.E.	Environmental Engineering Chief, USACE, Albuquerque District

5.3 General Consultation and Coordination

Agencies and entities contacted formally or informally in preparation of this Environmental Assessment include:

Mr. Wally Murphy
Field Supervisor
U.S. Fish and Wildlife Service

Mr. Rob Lawrence
USEPA, Region 6
Office of Planning and Coordination (6EN-XP)

Mr. Robert Sivinski
New Mexico State Forestry Division
Energy, Minerals, and Natural Resources Department

Mr. Matt Wunder
New Mexico Department of Game and Fish
Conservation Services Division

Ms. Marcy Leavitt, Director
Water and Waste Management Division
New Mexico Environmental Department

5.4 Draft EA Mailing List

Mr. Wally Murphy
Field Supervisor
U.S. Fish and Wildlife Service

Mr. Rob Lawrence
USEPA, Region 6
Office of Planning and Coordination (6EN-XP)

Mr. Steve Hansen
Deputy Area Manager
Bureau of Reclamation
Mr. Robert Sivinski
New Mexico State Forestry Division
Energy, Minerals, and Natural Resources Department

Mr. Matt Wunder
New Mexico Department of Game and Fish
Conservation Services Division

Ms. Marcy Leavitt, Director
Water and Waste Management Division
New Mexico Environmental Department

Mr. John R. D'Antonio, Jr.
State Engineer
New Mexico State Engineer

Mr. Etevan Lopez
New Mexico Interstate Stream Commission

Ms. Eva Sanchez
City of Jal
Manager

Mr. Van Myrick
Public Water Works Director
City of Jal

Ms. Pj Parker
Special Projects Administrator
City of Jal

Woolworth Community Library
City of Jal

6.0 REFERENCES CITED

Brown, David E.

1982. **Desert Plants: Biotic Communities of the American Southwest-United States and Mexico.** University of Arizona, Superior, Arizona.

Brown, David E. and C.H. Lowe.

1977. **Biotic Communities of the Southwest Map.** USDA Forest Service, Ft. Collins, Colorado.

Dick-Peddie, William A.

1993. **New Mexico Vegetation: Past, Present, and Future.** University of New Mexico Press, Albuquerque, New Mexico.

Lea County Facts.

2009. **Natural Resources.** <http://www.leacounty.net/FACTS.htm#Natural>.

League for the Hard of Hearing.

2004. **Noise Center.** <http://www.lhh.org/noise/facts/evironment.html>

Marshall, Michael. P and Henry J. Walt.

1985. **Rio Medio Archaeological Survey.** New Mexico State Historic Preservation Division, Santa Fe.

National Flood Insurance Program.

1996. **Flood Insurance Rate Map for Lea County, New Mexico and Incorporated Areas.** Community-Panel Number 35001C05290. Federal Emergency Management Agency.

New Mexico Department of Labor.

2009. **Quick Statistics.** <http://nmdaweb.nmsu.edu/stat.html>

New Mexico Department of the Game and Fish (NMDGF).

2009. **New Mexico Species List/Species Account – BISON-M.**
<http://www.nmnhp.unm.edu/bisonm/bisonquery.php>

New Mexico Environmental Department, Air Quality Bureau (NMED/AQB).

2009. **New Mexico Air Quality.** New Mexico Environmental Department.
<http://air.state.nm.us/>

New Mexico Rare Plant Technical Council.

1999. **New Mexico Rare Plants.** New Mexico Department of Minerals, Natural Resources, Forestry Division. Albuquerque, New Mexico: New Mexico Rare Plants Home Page.
<http://nmrareplants.unm.edu> (Last Update: January 22, 2009).

U.S. Census Bureau. **Population Facts.**

2009. <http://www.census.gov>

U.S. Department of Agriculture.

2009. Online **Soil Survey for Lea County.** <http://websoilsurvey.nrcs.usda.gov/app/>

U.S. Fish and Wildlife Service.

2009. **Endangered Species List: Lea County, New Mexico.**
<http://ifw2es.fws.gov/endangeredspecies/lists/>

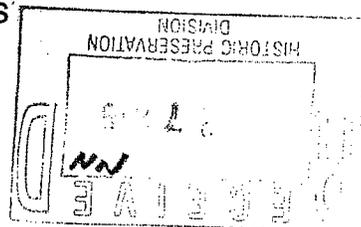
Appendix A
Cultural Resources Consultation Letter



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

February 25, 2009

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section



086329

Ms. Katherine Slick
State Historic Preservation Officer
New Mexico Department of Cultural Affairs
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

Dear Ms. Slick:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, seeks your concurrence in our determination of **no historic properties affected** for the proposed construction of a one-million-gallon water storage tank construction project within the City of Jal, Lea County, New Mexico (see Enclosure 1). The City of Jal is located approximately 110 miles southeast of Roswell, New Mexico. At the request of the City of Jal, the Corps is conducting this work under Section 595 of the Water Resources Development Act of 1996 (Public Law 99-662; 33 U.S.C. 2201 et seq.), as amended. The Act authorizes the Corps to provide assistance in the form of design and construction for water-related environmental infrastructure and resource protection and development projects in New Mexico. The City of Jal is the project sponsor. The Corps earlier submitted a negative survey report for this project on May 17, 2005, and received concurrence from your office on our determination of **no historic properties affected** (HPD log 074459; see Enclosure 2). However, the intended location of this project has since changed.

Pursuant to 36 CFR 800.2, consulting parties in the Section 106 process identified for the Undertaking include the Corps, the City of Jal, private landowners, and your office. Consistent with the Department of Defense's American Indian and

Alaska Native Policy, signed by Secretary of Defense William S. Cohen on October 20, 1998, and based on the State of New Mexico Indian Affairs Department's Native American Consultations List, comments and concerns from American Indian Tribes that have indicated they have an interest in Lea County have been and will continue to be considered regarding the proposed project. To date, the Corps is unaware of and has not received any indication of tribal concerns that would impact this project. The Corps has no knowledge of any Traditional Cultural Properties (TCPs) within or adjacent to the project area.

The project will involve: (a) the construction of a one-million-gallon water tank and associated pump house within a one-acre plot; and (b) the replacement of a portion of water line running parallel to and forming the eastern margin of the plot containing the water tank. In addition, an area of approximately one additional acre immediately to the west of the construction footprint will be used for staging during construction (see Enclosure 3).

Pursuant to 36 CFR 800.4, the **area of potential effects** (APE) for the Undertaking is considered to be the construction footprint, an adjacent staging area, and the location of the adjacent water line. Pursuant to 36 CFR 800.4(b), a Corps archaeologist conducted an intensive pedestrian survey of the project area on February 18, 2009, and no archaeological sites were identified (see enclosed negative survey report / NMCRIS form, entitled *A 2.9-Acre Cultural Resources Inventory for the Jal Water Storage Tank Project, City of Jal, Lea County, New Mexico*, NMCRIS 112959, Corps report number COE-2009-003). Recent historic trash is found throughout the survey area, in particular the area near the northern margin of the survey area adjacent to an animal pen. Six isolated occurrences (IOs) were identified in the field; all but one are debitage, and the other is an expedient retouched tool. All IOs are white chert, and data on all of them were recorded in the field. None of the IOs are considered eligible for listing in the NRHP and no further work is recommended for these IOs. Because four of these artifacts are located at the extreme southwest margin of the proposed staging area, and as a precaution, the Corps has altered the boundary of the staging area to avoid these artifacts (see Enclosure 4).

Based on these results, the Corps is of the opinion that there would be **no historic properties affected** by the Jal Water Storage Tank project, and no impact on the historic and cultural resources of the region.

Pursuant to 36 C.F.R. 800.13, should previously unknown artifacts or cultural resource manifestations be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and a mitigation plan would be formulated in consultation with the New Mexico State Historic Preservation Officer and with American Indian Tribes that have cultural concerns in the area.

If you have questions or concerns, or require additional information regarding the Jal Water Storage Tank project, please contact Dr. Jonathan Van Hoose, archaeologist, at (505) 342-3687 (jonathan.e.vanhoose@usace.army.mil).

Sincerely,



Julie Alcon
Chief, Environmental Resources
Section

3/16/09
Date

I CONCUR

 3/16/09
KATHERINE SLICK
FOR NEW MEXICO STATE HISTORIC
PRESERVATION OFFICER

Enclosures

Appendix B
Amended Draft EA Letter and Public Review Comment Letter

April 7, 2009

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

XXXXXX

Dear :

The U.S. Army Corps of Engineers (Corps), Albuquerque District, sent out a Draft Environmental Assessment (DEA), entitled "Water System Improvement, City of Jal, Lea County, New Mexico" on August 24th, 2005 for a 30-day public review (available for reference at the following site: <http://www.spa.usace.army.mil/fonsi/>). Since that time, there has been a change to the location of the one-million-gallon ground-level water storage tank. The only changes in the amended Draft EA reflect the change in location of the water storage tank (see the project location map below to see the old and new location). The duration of the proposed construction would be seven months and is expected to start in July 2009.

Enclosed for your review is the **"Amended Draft Environmental Assessment for the Water System Improvement, City of Jal, Lea County, New Mexico"**. Please see the project location map below to see the old and new location. The Corps is expediting the amended Draft EA and sending copies of it to solicit comments from Federal, State, and local interests to comply with the National Environmental Policy Act.

Please review the amended Draft EA and provide any written comments to the above address, Attn: Mrs. Danielle Galloway, Environmental Resources Section. Written comments must be received **no later than April 21, 2009**, so that comments can be addressed and revisions made to the amended Draft EA in a timely manner. If we do not receive comments by this date, we will assume you have no concerns or have no objections to the project. You may facsimile your correspondence to (505) 342-3668. If you have any questions or need additional information, please contact Mrs. Galloway at (505) 342-3661 or e-mail at

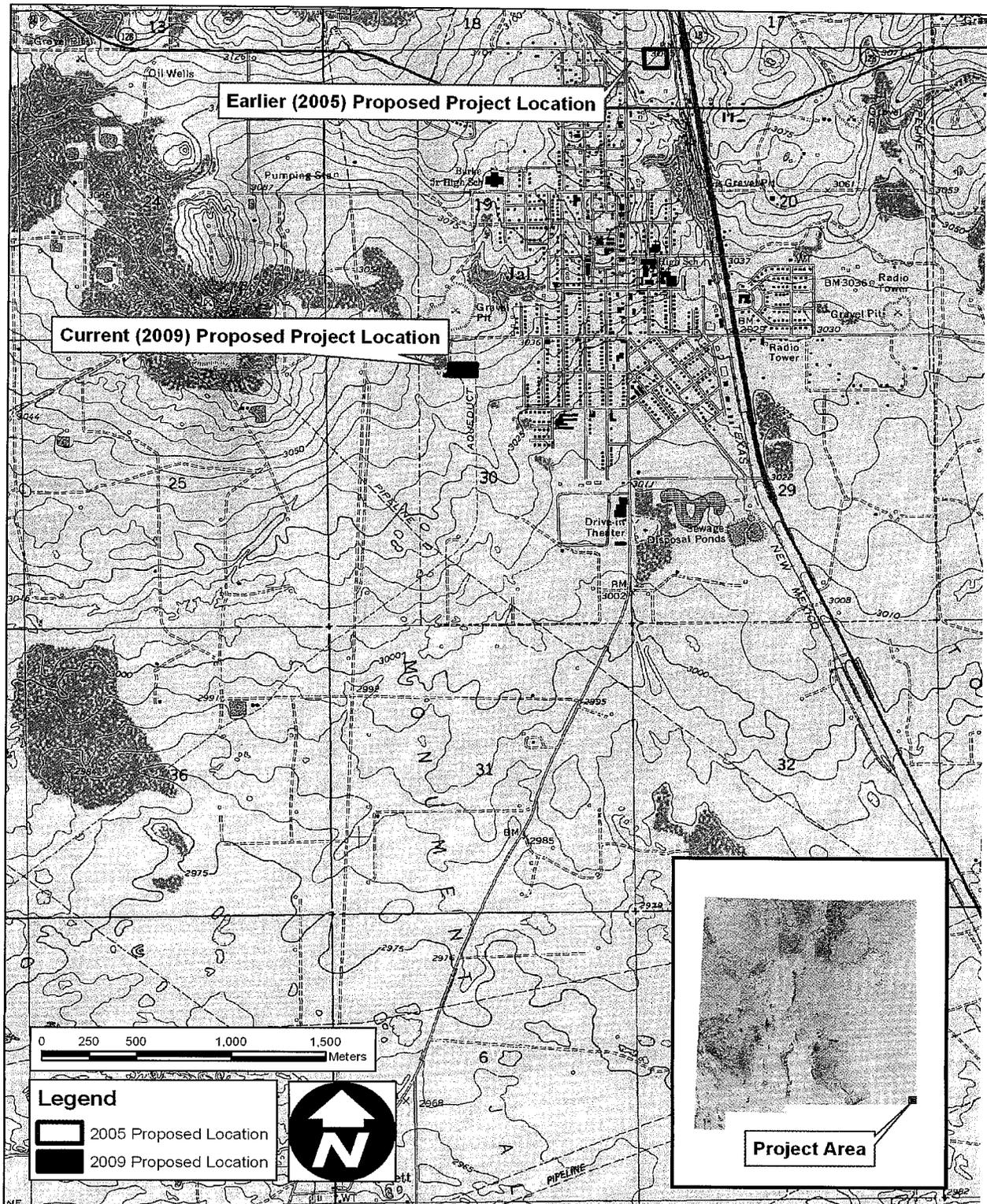
danielle.a.galloway@usace.army.mil.

Sincerely,

Julie Alcon
Chief, Environmental Resources Section

Enclosures

Project Location Map





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

APR 15 2009

Julie Alcon
Chief, Environmental Resources Section
Albuquerque District
Corps of Engineers
Albuquerque, NM 87109-3435

RE: Water System Improvement City of Jal, Lea County, New Mexico

Dear Ms. Alcon:

In accordance with Section 309 of the Clean Air Act, the Region 6 Office of the Environmental Protection Agency (EPA) has received and reviewed your Solicitation of Views (SOV) for the above referenced activity. We have no comments to offer.

Thank you for your coordination.

Sincerely yours,

A handwritten signature in cursive script that reads "Cathy Gilmore".

Cathy Gilmore, Chief
Office of Planning and
Coordination (6EN-XP)

Appendix C
Notice of Amended Draft EA Availability and Affidavit of
Publication

Affidavit of Publication

State of New Mexico,
County of Lea.

I, KATHI BEARDEN
PUBLISHER

of the Hobbs News-Sun, a
newspaper published at Hobbs, New
Mexico, do solemnly swear that the
clipping attached hereto was
published in the regular and entire
issue of said newspaper, and not a
supplement thereof for a period

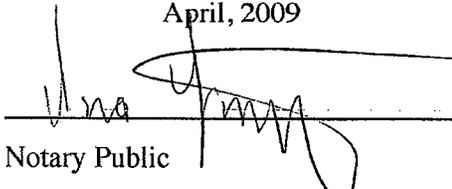
of 1 issue(s).

Beginning with the issue dated
April 07, 2009
and ending with the issue dated
April 07, 2009



PUBLISHER

Sworn and subscribed to before me
this 7th day of
April, 2009



Notary Public

My commission expires
February 09, 2013
(Seal)



This newspaper is duly qualified to
publish legal notices or
advertisements within the meaning of
Section 3, Chapter 167, Laws of
1937 and payment of fees for said
publication has been made.

LEGAL
APRIL 7, 2009

Notice of Availability

The U.S. Army Corps of Engineers (Corps), Albuquerque District, has completed the "Amended Draft Environmental Assessment for the Water System Improvement, City of Jal, Lea County, New Mexico". The Corps sent out a Draft Environmental Assessment (DEA) entitled "Water System Improvement, City of Jal, Lea County, New Mexico" on August 24th, 2005 for a 30-day public review (available for reference at the below website). Since that time, there has been a change to the location of the one-million-gallon ground-level water storage tank. The only changes in the amended Draft EA reflect the change in location of the water storage tank. The purpose of installing a one-million-gallon ground-level water storage tank is to provide the City of Jal with a two-day storage requirement for drinking water and to provide a sufficient capacity for emergency fire demand. Approximately 2,000 residents would benefit from the proposed water storage tank. The duration of the proposed construction would be seven months and is expected to start in July 2009.

The Draft Amended EA is electronically available for viewing and copying at the Albuquerque District website (under "FONSI/ Environmental Assessments") at:

<http://www.spa.usace.army.mil>

or a hard copy will be sent upon written request to the following address:

U.S. Army Corps of Engineers
Albuquerque District
Environmental Resources Section
Attn: CESPA-PM-LE (Mrs. Danielle Galloway)
Albuquerque, New Mexico 87109-3435

Paper copies of this document are also available for review at:
Woolworth Community Library
3rd & Utah
Jal, New Mexico 88252

The public review will extend from April 7th, 2009 to April 21st, 2009. Written comments should be sent to the above address and will be accepted until 4:00 PM, April 21st, 2009. Alternatively, comments may be sent electronically to danielle.galloway@usace.army.mil. #24853

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00028688

THE U.S. ARMY CORPS OF ENGINEERS
ALBUQUERQUE DISTRICT
ENVIRONMENTAL RESOURCES SECTION
ATTN: CESPA-PM-LE
ALBUQUERQUE, NM 87109-3435