

## SANTA CLARA

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## INDIAN PUEBLO

ESPANOLA, NEW MEXICO  
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OFFICE OF GOVERNOR

**November 17, 2022**

Mr. Daniel Delgado  
U.S. Army Corps of Engineers, Regulatory Division  
Albuquerque District, Runnels Federal Building  
4101 Jefferson Plaza, NE  
Albuquerque, NM 87109-3435

*Re: Tribal Certification for Department of the Army General Permit, (Corps Action No. SPA-2012-00347-ABQ), Regional General Permit (RGP) NM/WEST TX-17-01, Emergency Repair and Protection Activities*

**Dear Mr. Delgado:**

This letter serves as the Pueblo of Santa Clara's 401 conditional certification of the re-issuance of Regional General Permit (RGP) NM/West TX-17-01, Emergency Repair and Protection Activities as detailed in the US Army Corps of Engineers letter dated November 8, 2022. This conditional certification is issued under the authority of the Santa Clara Pueblo Water Quality Code, adopted as amended by Santa Clara Tribal Council Resolution No. 2003-27 (July 15, 2003), and approved by the Secretary of the Interior effective as of August 5, 2003.

The Pueblo requests an electronic copy of the notification submitted by the applicant for proposed activity under this permit be provided to the Santa Clara Pueblo Governor's Office within 24 hours after it is provided to the US Army Corps of Engineers Albuquerque District. Santa Clara Pueblo contact information:

Office of the Governor  
578 Kee Street  
Española, NM 87532  
[Governor@santaclarapueblo.org](mailto:Governor@santaclarapueblo.org)

In addition to the project notification, the Pueblo requests an electronic copy of the Post-Activity Report submitted by the permittee be provided to the Pueblo at the same address above.

As stated in the General Permit item 10 Historic properties, “If the permittee discovers any previously unknown historic, cultural, or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the item(s) or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.”. This coordination process is important to the protection of Pueblo cultural resources.

Longer term projects that are beyond the scope and timing of this emergency permits should be authorized using the appropriate general or individual permit. Impacts to waters of the U.S., including wetlands, shall be avoided or minimized through the use of practicable alternatives. Compensatory mitigation for unavoidable adverse impacts to waters of the U.S. under the jurisdiction of Santa Clara Pueblo may be required.

If you should have any questions, please do not hesitate to contact Bernardino Chavarria of the Santa Clara Pueblo Office of Environmental Affairs at (505) 753-7326 x1239.

**Sincerely,**

*J. Michael Chavarria*

**Governor J. Michael Chavarria  
Santa Clara Pueblo**

Cc: file  
Environmental  
General Counsel