



*Office of the Governor*  
Route 42 Box 360-T  
Santa Fe, New Mexico 87506

---

February 28, 2017

Kelly E Allen  
Regulatory Project Manager  
Regulatory Division  
Albuquerque District, U.S. Army Corps of Engineers  
4101 Jefferson Plaza NE  
Albuquerque, NM

Subject: USACE issuance of final 2017 NWP's and request for Sec. 401 Water Quality Certification

The Pueblo of Tesuque is requesting that the United States Army Corp of Engineers (USACE) approve certification for the Pueblo of Tesuque Environmental Department (PTED) and deny all other entities approval for water quality certification (WQS).

The Pueblo requests that PTED be the only certified applicant to have approval for 401 certifications on Pueblo of Tesuque land (including land grants).

The Pueblo of Tesuque gives authority to PTED to be the only authorized entity to issue all water quality certifications (WQC) under Section 401 of the Clean Water Act that would affect Pueblo of Tesuque land. Pueblo of Tesuque also gives authority to PTED to review all individuals WQC and their activities to ensure compliance with Pueblo of Tesuque Water Quality Standards (WQS). The Pueblo of Tesuque also requests that USACE notify PTED for all General (Nationwide and Regional General Permits) and Individual Section 404 permits being applied for, that would impair waterways on Pueblo of Tesuque land.

Respectfully,

Mark Mitchell  
Governor of Pueblo of Tesuque