



**US Army Corps
of Engineers**
ALBUQUERQUE DISTRICT

PUBLIC NOTICE

Action No: SPA-2012-00347-ABQ
Waterway: Waters of the US in New Mexico
Comment Period: August 24 , 2012 – September 23 , 2012

REPLY TO:

Albuquerque District Regulatory Office
4101 Jefferson Plaza, NE
Albuquerque, NM 87109
FAX (505) 344-1514

30 DAY NOTICE

**PUBLIC NOTICE OF PENDING
SECTION 404 REGIONAL GENERAL PERMIT NM-12-01**

**REPAIR AND PROTECTION ACTIVITIES IN EMERGENCY SITUATIONS IN THE
STATE OF NEW MEXICO**

SUBJECT: The U.S. Army Corps of Engineers, Albuquerque District (Corps), is proposing to issue Regional General Permit (RGP) NM-12-01. This permit 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 within the state of New Mexico. 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.
- Construction of diversion channels and flow deflection structures.

This public notice is to inform interested parties of the proposed RGP NM-12-01 and to solicit comments. A copy of the proposed RGP and this notice is available at

<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits/PublicNotices.aspx>.

PROJECT LOCATION: Within those parts of the State of New Mexico within the boundaries of the Albuquerque District Regulatory Branch. In the event of future modifications to District boundaries, this permit would also apply in any areas so revised.

ADDITIONAL INFORMATION:

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice SPA-2012-00347-ABQ must be submitted to the office listed below on or before September 23, 2012.

Jennifer J. Lillard, Project Manager
U.S. Army Corps of Engineers, Albuquerque District
4101 Jefferson Plaza, NE
Albuquerque, NM 87109
Email: Jennifer.J.Lillard@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act (FOIA). If you have any questions or need additional information please contact the Corps' project manager Jennifer Lillard, 505-342-3185, jennifer.j.lillard@usace.army.mil.

SUBMITTAL OF WATER QUALITY CERTIFICATION COMMENTS: This notice serves to notify the public that the NMED will consider issuing a certification under Section 401 of the Clean Water Act. The purpose of such certification is to reasonably ensure that the permitted activities will be conducted in a manner compliant with applicable New Mexico water quality standards, including the antidegradation policy, and the statewide water quality management plan. This Notice, including notice of the 30-day public comment period, is also posted on the NMED website at <http://www.nmenv.state.nm.us/swqb/WQA/notice/>.

NMED will accept and consider written comments regarding the state certification received during the public comment period. Comments may be submitted electronically or by hard copy to:

Watershed Protection Program Manager
New Mexico Environment Department, SWQB
Attn: Abraham Franklin
P.O. Box 5469
Santa Fe, NM 87502-5469
505-827-2793
FAX 505-827-0160
E-mail: abraham.franklin@state.nm.us

Attachments: Draft of Regional General Permit NM-12-01