New Mexico Environment Department
Construction Programs Bureau
State Environmental Review Process (SERP)

Los Alamos County White Rock Water Resource Recovery Facility Construction – CWSRF 110

March 2024

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NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
STATE ENVIRONMENTAL REVIEW PROCESS

PURPOSE

This procedure was developed by the New Mexico Environment Department (NMED) Construction Programs Bureau (CPB) to comply with the National Environmental Policy Act (NEPA) review requirements for federally capitalized Clean Water State Revolving Fund (CWSRF) loans. The procedure is based on implementing the regulations for NEPA (40 Code of Federal Regulations [CFR] Parts 6, 25, 35, and 1500) as followed by the Environmental Protection Agency (EPA), and State regulations New Mexico Administrative Code (NMAC) 20.7.7. These regulations govern the NMED State Environmental Review Process (SERP).

IMPLEMENTATION

Environmental reviews will be conducted for all treatment works[1] projects receiving assistance from the CWSRF. CWSRF projects that do not meet the definition of treatment works are not required to conduct environmental reviews. The reviews could result in three possible actions. The CPB can (i) grant a Categorical Exclusion (CE) if the action falls into a defined category where little environmental impact is expected, or (ii) prepare an Environmental Assessment (EA) along with a preliminary Finding of No Significant Impact (FONSI), or (iii) find that potential impacts might be significant and direct that an Environmental Impact Statement (EIS) be prepared. These processes are explained in more detail in **Attachment 1 -NEPA REVIEW PROCESS SUMMARY**.

DOCUMENTATION

To document the NEPA review process, CPB project managers shall prepare and maintain the applicable items on **Attachment 2 - NEPA PROJECT FILE CHECKLIST** in the project files.

Project files will be maintained in the CPB electronic files until the project is complete, all final documents have been received, and the project is officially closed. Closed projects will be archived in accordance with CPB and EPA policy.

EXISTING ENVIRONMENTAL DOCUMENTS

Existing environmental documents may be used and referenced in the preparation of the EID and EA. Information used in a previous assessment must be less than five years old, per 40 CFR 6.200(h). If the prior-decision document is older than five (5) years and there are no changes to the project, CPB will reaffirm the document. If there are modifications CPB will ensure that the document reflects the changes, and if applicable, provide the public with an opportunity to comment. CPB will publish the reaffirmation or modification on the CWSRF Program website.

Any prior-decision document submitted must contain information applicable and pertinent to the proposed project and have logical relevancy to and bearing on the action being proposed. In particular, the scope of the proposed project must be the same project identified in the prior-decision document.

[1] A "treatment works" is a project determined by NMED to meet the definition of 33 U.S.C § 1292(2)(A) and (B).

When prior-decision documents are submitted, an evaluation of the current environmental impacts of the proposed project must be conducted. New impacts not addressed in the prior-decision documents must be addressed in the current environmental document.

Previous assessments conducted by another agency can be incorporated by reference into the current assessment but cannot substitute for a current assessment. CPB will determine whether to reaffirm, supplement, or reassess information that is more than five years old. All referenced materials must be included in the appendix of the EID maintained in the project file.

APPEALS

The issuance of the finalized FONSI/EA and the Final Determination letter are final agency actions subject to review as provided under the laws of New Mexico. Any appeal of a final agency action in this instance may be appealed to the district court pursuant to Rule 1-075 NMRA (New Mexico Rules Annotated).

ATTACHMENT 1
NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
NEPA REVIEW PROCESS SUMMARY

The applicant will present the scope and nature of the project to the New Mexico Environment Department Construction Programs Bureau (CPB) to assist in determining the level of environmental review necessary. The environmental review process will be conducted in light of guidelines developed for the National Environmental Policy Act (NEPA) as detailed below. The CPB review can result in three possible actions: (i) grant a Categorical Exclusion (CE) if the action falls into a defined category where little environmental impact is expected, or (ii) prepare an Environmental Assessment (EA) along with a preliminary Finding of No Significant Impact (FONSI), or (iii) find that potential impacts might be significant and direct that an EIS be prepared.

1) Based on this discussion of the scope and nature of the project, CPB may advise the applicant that the project may qualify for a CE. CEs may be granted for projects that involve minimal disturbance, such as minor rehabilitation. The applicant must complete the Categorical Exclusion Request form. CPB will review the request and either approve or deny it. If the CE request is approved, no further environmental review action is required, CPB will prepare a Notice of Categorical Exclusion for publication, and the project may proceed (note: based on the location of the project, NMED may determine that a Section 106 consultation must occur for certain CE projects). If the CE request is denied, the applicant must proceed with the steps below.

2) If the project does not qualify for a CE, the applicant must prepare a PER in accordance with USDA RUS Bulletin 1780-2 or a technical memorandum and an EID for CPB review and approval. The EID will follow **Attachment 3 – EID Outline**. The USDA RUS bulletin is available on the NMED CPB website at: https://www.env.nm.gov/forms/.

3) If applicable to the complexity and scope of the project, the applicant may conduct a public scoping meeting to identify issues of concern, identify a preliminary range of alternatives to be considered, identify potential cooperating agencies, and identify consultation requirements (see 40 CFR 6.203). Notice of the meeting will be sent to all applicable cross-cutting agencies on the consultation list and other stakeholders, posted as appropriate in the community, and published in a newspaper of general circulation forty-five days in advance of the meeting. The notice shall contain an agenda for the meeting and a description of the purpose (a sample notice is included as **Attachment 10 – NOTICE OF PUBLIC SCOPING MEETING**). A copy of the notice, certification of publication, and list of posting locations shall be provided to CPB. The applicant shall maintain and provide copies to CPB of a sign-in sheet with names and addresses of attendees to be used for future consultation and included in the project mailing list and provide minutes of the meeting.

4) CPB will review the EID to determine potential impact to environmental cross-cutting laws based on information provided by the applicant in Section 3.0 “Affected Environment/Environment Consequences” of the EID. CPB will document this review using **Attachment 4 - NEPA EID EVALUATION CHECKLIST**.

5) The applicant shall actively pursue a consultation/coordination effort to identify all applicable cross-cutting authorities and interested parties and obtain comments on the proposed project. The applicant must make a good faith effort to identify potential issues of interest and potentially interested parties.

Attachment 5 - NEPA Consultation/Coordination Mailing List should be used to ensure all appropriate agencies and potentially interested parties are consulted and included in the mailing list. The CPB project manager shall review the project mailing list for completeness and assist in agency consultation/coordination. The applicant will send a consultation/request for comment letter with project summary sheet to all applicable cross-cutting agencies and interested parties. A draft letter and project summary sheet must be provided to CPB for review and approval before it is distributed by the applicant. **Attachment 6 – SAMPLE AGENCY CONSULTATION/REQUEST FOR COMMENT LETTER** and **Attachment 9 – GUIDELINES FOR PROJECT SUMMARY SHEET** are provided in this package. A Consultation/Coordination Tracking Table is provided in **Attachment 5 - NEPA CONSULTATION/COORDINATION MAILING LIST** for the applicant to complete to help track and associate issues with and comments from interested parties. A copy of the completed tracking table shall be provided to CPB for review and comment.

6) The applicant must comply with the consultation processes required by Section 106 of the National Historic Preservation Act (see 36 CFR Part 800), particularly the consultation with Native American Indian tribes. Tribal contacts have been provided in **Attachment 5 - NEPA CONSULTATION/COORDINATION MAILING LIST** and a Consultation/Coordination Tracking Table (included in Attachment 5) must be maintained to document when written notices were sent and what comments (if any) were received. **Attachment 7 – SAMPLE TRIBAL CONSULTATION/REQUEST FOR COMMENT LETTER**, **Attachment 8 – COUNTY TRIBAL COSULTATION LIST** and **Attachment 9 – GUIDELINES FOR PROJECT SUMMARY SHEET** are provided in this package. Tribal consultation letters must be on NMED letterhead, and the consultation letters signed by the Cabinet Secretary. Tribal consultation letters need only be sent to those tribes listed in the County in which the project will be constructed (see **Attachment 8 – COUNTY TRIBAL LIST**). A draft letter and project summary sheet will be prepared by the applicant and sent to the CPB Project Manager (PM). The CPB PM will route consultation letter for signature by the Cabinet Secretary, mail out consultation letters and provide copies to the applicant. The CPB PM will coordinate tracking the tribal consultation process and share responses with the applicant.

7) Applicant shall complete a draft PER and EID and submit them to CPB for review and comment. To the maximum extent possible, the PER/EID shall strive to mitigate concerns and impacts identified in the environmental review and consultation/coordination process. Mitigation measures shall be clearly identified in the EID.

8) Applicant shall conduct at least one public meeting to review the draft PER/EID (see 40 CFR 25.5). A notice of the public meeting will be mailed to all agencies and tribes on the consultation/coordination list and all parties on the project mailing list, posted as appropriate in the community and surrounding area (e.g., applicant's web site), and published in a newspaper of general circulation 45 days (may be reduced to no less than 30 days with CPB approval) in advance. The public meeting notice shall contain an agenda and a description of the purpose of the meeting (a sample notice is included as **Attachment 11 – NOTICE OF PUBLIC MEETING**). A copy of the notice, certified affidavit of publication (if published in a newspaper), copy of website publication, and list of posting locations shall be provided to CPB. The applicant shall maintain and provide copies to CPB of a sign-in sheet with names and addresses of attendees, provide a record of the public meeting, and prepare a responsiveness summary (see **Attachment 12 – RESPONSIVENESS SUMMARY**) of the comments received and action taken to address those comments (see 40 CFR 25.8).

9) The applicant shall revise the PER/EID to incorporate comments from CPB, the consultation/coordination process, and the public meeting. The final PER/EID shall be submitted to CPB for review and approval.

10) Upon approval of the EID, CPB will prepare an Environmental Assessment based upon the information provided by the applicant and in accordance with the Environmental Assessment Outline.

11) If CPB determines, through the environmental assessment process, that the proposed CWSRF project will have no significant impacts, a preliminary Finding of No Significant Impact (FONSI) will be prepared, distributed to the project mailing list, published in a newspaper of general circulation in the project area, and may be noticed on the applicant's website or other appropriate locations. The notice will state the intention to approve the PER/EID, outline the preliminary determination, and provide a minimum of 30 days for comment in agreement or disagreement with the finding. If a FONSI is not supported or based on NMAC 20.7.7.19 it is determined by the responsible official that a project may cause any of the conditions described in that section, then an EIS will be required. The steps required in preparing an EIS are described in NMAC 20.7.7.20.

12) At the conclusion of the comment period, CPB will address all comments received in the final EA and the FONSI and EA may be amended in response to any comments received and the FONSI republished. After the comment period has closed and all comments have been addressed, if the FONSI is still supported, CPB will issue a notice of Final Determination regarding the FONSI and approval of the EA. The notice will be distributed to the project mailing list. If the FONSI cannot be supported, CPB will issue a notice that an EIS must be prepared.

13) Parties wishing to contest the final determination of CPB may appeal. The issuance of the finalized FONSI/EA and Final Determination letter are final agency actions subject to review as provided under the laws of New Mexico.

14) The CPB project manager will document the NEPA review process recording events, as applicable, on the NEPA Project File Checklist and maintain the record in the project files. Project files will be maintained in the CPB office until the project is complete, all final documents have been received, and the project is officially closed. Closed projects will be archived in accordance with CPB and EPA policy.

ATTACHMENT 2

NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
NEPA PROJECT FILE CHECKLIST

Project Name: _____ Project Number: _____

Project Manager (PM): _____

DOCUMENT	DATE	PM
Notice of Public Scoping Meeting (if applicable)		
Proof of Public Scoping Meeting Notice (if applicable)		
List of Public Scoping Meeting Posting Locations (if applicable)		
Attendance Sign-in Sheet for Public Scoping Meeting (if applicable)		
Project Mailing List		
Draft PER/EID		
NMED comment letter on Draft PER/EID		
Notice of Public Meeting		
Proof of Public Meeting Notice		
List of Public Meeting Posting Locations		
Record of Public Meeting – copies of notes, or other		
Attendance Sign-in Sheet for Public Meeting		
Public Meeting Responsiveness Summary		
Final PER/EID		
NMED approval letter of final PER/EID		
NMED Environmental Assessment		
FONSI - NMED		
Concurrence letter from SHPO for NHPA		
Proof of Publication of FONSI		
NMED Final Determination Letter		

ATTACHMENT 3

NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
ENVIRONMENTAL INFORMATION DOCUMENT (EID) OUTLINE

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1.0 PURPOSE AND NEED FOR PROJECT
- 1.1 Project Description
- 1.2 Purpose and Need for Project

2.0 ALTERNATIVES (include proposed action)
- 2.1 Alternative A - No Action
- 2.2 Alternative B - Preferred Action
- 2.3 (etc.)

3.0 AFFECTED ENVIRONMENT/ ENVIRONMENT CONSEQUENCES
- 3.1 Environmental Setting
- 3.2 Land Use
  - 3.2.1 General Land Use
  - 3.2.2 Growth and Population Trends
  - 3.2.3 Important Farmland
  - 3.2.4 Soils
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- 3.3 Floodplains
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- 3.5 Water Resources
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  - 3.7.3 Threatened and Endangered Species
- 3.8 Archeological, Cultural, and Historic Resources
- 3.9 Socioeconomic/ Environmental Justice
- 3.10 Other Resources
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  - 3.10.3 Transportation
  - 3.10.4 Visual Impacts
  - 3.10.5 Noise
- 3.11 Cumulative Impacts

4.0 SUMMARY OF MITIGATION MEASURES
- 4.1 Physical Resources Measures
- 4.2 Biological Resource Measures
- 4.3 Threatened and Endangered Species Measures
- 4.4 Socioeconomic/Environmental Justice Measures
- 4.5 Archeological, Cultural, and Historic Resources Measures
- 4.6 Environmentally Sensitive Areas
- 4.7 Other Resources
- 4.8 Cumulative Impact Measures

5.0 CONSULTATION, COORDINATION, AND PUBLIC INVOLVEMENT
- 5.1 Agencies Consulted
- 5.2 Public Involvement
- 5.3 Responsiveness Summary

6.0 REFERENCES

ENVIRONMENTAL INFORMATION DOCUMENT
for
{Community}
{County},

New Mexico

Project No.

~~~~

{Date}

{Brief Descriptive Project Title}

Total Estimated Project Cost: $ ~~~~ and list of agencies that may provide funding.

1.0 PURPOSE AND NEED FOR PROJECT

{Describe the conditions that create a need for the project and how the project will meet this need. Reference 40 CFR 6.205(e) (1) (i)}

1.1 Project Description.

{Summarize facility improvement and construction activities, include location and vicinity map}

1.2 Purpose and Need for Project.

{Establish the underlying purpose of the proposed project. This will be the basis for evaluating the reasonable and practical alternatives.}

2.0 ALTERNATIVES

{Describe in detail each alternative considered, even if eliminated. Reference 40 CFR 6.205(e) (1) (ii). The discussion should include engineering design alternatives, siting locations, and system capacities and should refer back to the PER for a full explanation of the alternatives and their evaluation.}

2.1 Alternative A - No Action.

{This is the baseline against which other alternatives are judged. Consequences of no action should be described.}

2.2 Alternative B - Preferred Action.

2.3 (etc.)

3.0 AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES

{Describe the existing environment as it relates to each topic in the project area. Reference 40 CFR 6.205(e) (1) (iii) and (iv) Discuss environmental consequences of the proposed action as they relate to the preferred alternative. The discussion should consider physical, legal, and institutional constrains; flow and waste reduction measures such as inflow/infiltration reduction and pretreatment; appropriate water conservation measures; alternative waste management techniques such as reuse, individual systems, and land application; appropriate energy reduction measures; improving effluent quality through operation and maintenance; construction phasing; multiple uses such as recreation and open

space; alternative methods for managing sludge; environmental benefit; and capital and operating costs as they relate to this specific project. Only discuss those that are applicable.

3.1 *Discuss the relationship between short-term benefits of this project and the long-term impact on preserving and enhancing the environmental resources, including commitment of any irreversible and irretrievable resources. The discussion should clearly state the reason(s) for rejecting any alternatives. The impacts and potential environmental consequences on the following topics should be discussed for the preferred alternative. Mitigation measures for any impacts identified should be detailed.*

3.2 Environmental Setting.

{Briefly summarize the setting for the project, including, but not limited to, such things as general location, geology, soil types, water resources, climate, history, population characteristics, and economy as appropriate.}

3.3 Land Use.

3.3.1 General Land Use.

{This should include present zoning and use of the proposed project area, total land area required for the project, and homes and businesses that may be affected. Consider displacing population or altering the character of existing residential areas. See 40 CFR 6.204(b) (7)}

3.3.2 Growth and Population Trends

{This section should describe historic and expected population growth that could affect the project. The rationale and justification for the projections of growth should be clearly described and referenced.}

3.3.3 Important Farmland.

{Determine whether the project will convert farmland to nonagricultural uses. Consider whether the project takes place on farmland, land of statewide or unique importance, or any other land that is not water or urban built-up land. If the project will impact farmland, consult with USDA Natural Resources Conservation Service (NRCS) to determine if soils have been classified as prime farmlands, prime rangelands, or prime forest land. Discuss how the proposed project will affect these lands. See 40 CFR 6.204(b) (5)}

3.3.4 Soils.

{Discuss soil types and how the proposed project will affect erosion and disturbance of the area.}

3.3.5 Formally Classified Lands.

{These lands include national parks, landmarks, historic sites, wilderness areas, wildlife refuges, wild and scenic rivers, grasslands, state parks, and Native American owned lands. Identify any of these lands that may exist in the project area and discuss the impacts from the proposed project. See 40 CFR 6.204(b)(5)}

3.4 Floodplains.

{Determine whether the proposed project will be located in or affect a flood plain by utilizing maps prepared by the Federal Emergency Management Agency (FEMA) or other state or local floodplain resources and the Federal Flood Risk Management Standard methods described in EO 13690. If the proposed project will be located in or affect a floodplain, a floodplain/wetlands assessment must be prepared. If necessary, consult with FEMA, local Floodplain Administrator, State Floodplain Coordinator within the NM Department of Homeland Security and Emergency Management, and FEMA flood insurance rate map panels. If the project is located in or near a floodplain and there is no feasible alternative location, identify the impacts of the proposed action and document mitigating measures or design modifications that will be taken to reduce the risk of flood damage. In conjunction with the public notice procedures in the SERP, the project area community must be informed why the proposed project is to be located in a floodplain. See FEMA guidance on implementing EO 13690.

3.5 Wetlands.

{Use the USFWS Wetlands Mapper Tool to determine whether the project is located in or may affect a wetland. If the project is located in or may affect a wetland, consult with the U.S. Army Corps of Engineers to determine what impacts the project will have on them. See EO 11990}

3.6 Water Resources.

3.6.1 Surface Water.

{Consult with NMED Surface Water Quality and/or Drinking Water Bureaus to determine stream standards, consider both quality and quantity and any applicable impacts to Drinking Water sources.}

3.6.2 Ground Water.

{Consult with NMED Groundwater Quality and/or Drinking Water Bureaus and State Engineer Office and address both quantity and quality issues.}

3.7 Air Quality.

{See 40 CFR 6.204(b)(6). Refer to USEPA's Green Book website (https://www.epa.gov/green-book) to determine if the project will take place in a Nonattainment or Maintenance Area for Ozone, Sulfur Dioxide,

Carbon Monoxide, Particulate Matter, Lead or Nitrogen Dioxide. If the project is not in a Nonattainment or Maintenance area, no further action is required. If the project is in a Nonattainment or Maintenance area and the project is expected to contribute to one of the six criteria pollutant loadings, consult with the NMED Air Quality Bureau. Determine if any population projections have been prepared for the project area as part of the State Implementation Plan and, if so, include those projections. Evaluate direct and indirect emissions and their impact on air quality. For projects located in an air nonattainment or maintenance area, provide necessary air emissions data to allow EPA to make a general conformity determination under 40 CFR Part 93 for consistency with the New Mexico Air State Implementation Plan.}

3.8 Biological Resources.

3.8.1 Vegetation.

{Describe vegetation in the proposed project area and potential effects. Discuss requirements for clearing, short- and long-term effects, and any future maintenance practices.}

3.8.2 Wildlife.

{Describe fish and wildlife resources in the project area. Discuss short- and long-term impacts. See 40 CFR 6.204(b) (5)}

3.8.3 Threatened and Endangered Species.

{Refer to the FWS IPaC database or consult with U.S. Fish & Wildlife Service and NM Department of Game & Fish to identify listed species in the proposed project area. Discuss not only direct impacts on the species, but also impacts on critical habitat. Classify the project as No Effect, May Affect, or Likely to Adversely Affect. If the project is classified as No Effect, no further consultation is required. Otherwise, coordinate with Fish & Wildlife to obtain a no impact letter or to develop mitigation measures. See 40 CFR 6.204(b) (3) and 50 CFR 402}

3.9 Archeological, Cultural, and Historic Resources.

{Consult with the NM Historic Preservation Division State Historic Preservation Officer (SHPO) to identify registered site within the proposed project area. Conduct field studies as required. Coordinate with SHPO to obtain a no impact letter or to develop mitigation measures. See 36 CFR 800 and 40 CFR 6.204(b) (4)}

3.10 Socioeconomic/ Environmental Justice.

3.10.1 Socioeconomic Issues.

{Describe present socioeconomic conditions and how the proposed project may impact them. Include cost of connection and user fees and relate to income levels in the project area and potential impacts. Impacts could be beneficial or adverse.}

3.10.2 Environmental Justice.

{See EO 12898 and 40CFR6.204(b)(2)

To generate the necessary EJ reports and maps to support the Environmental Justice assessment, the use of EJSCREEN or the most recent EJ mapping tool available through the Environmental Protection Agency is necessary. It can be found at https://ejscreen.epa.gov/mapper. *Instructions for EJSCREEN can be found at https://www.epa.gov/ejscreen.*

Send in the results along with the CE or EA/FNSI request}

3.11 Other Resources.

3.11.1 Public Health and Safety.

{Describe any existing permits and the compliance status and discuss safety issues such as traffic control.}

3.11.2 Energy.

{As appropriate, consider energy consumption and any special needs.}

3.11.3 Transportation.

{As appropriate, consider effects of proposed project on transportation facilities such as highways, railroads, and airports.}

3.11.4 Visual Impacts.

{As appropriate, consider effects on visual and aesthetic resources such as scenic vistas and skylines. Mitigation measures could include landscaping and architectural designs.}

3.11.5 Noise.

{As appropriate, consider construction and operation of the proposed project on noise sensitive areas.}

3.12 Cumulative Impacts.

{Discuss any irreversible or irretrievable commitments of resources to the proposed project. Identify whether the proposed project can induce growth and have secondary impacts such as increased water demand or increased generation of wastewater and the consequences. Are there impacts that result from the interaction of this project with other past, present, or future activities in the area?}

4.0 SUMMARY OF MITIGATION MEASURES

{List and describe all mitigation measures identified in Section3, how they will reduce the impact to less than significant level, and how they will be implemented, include both structural and nonstructural measures. See 40 CRF 6.205(e) (3)}

4.1 Physical Resources Measures.

{Includes land, water, and air resources}

4.2 Biological Resource Measures.

4.3 Threatened and Endangered Species Measures.

4.4 Socioeconomic/Environmental Justice Measures.

4.5 Archeological, Cultural, and Historic Resources Measures.

4.6 Environmentally Sensitive Areas.

{Includes farmlands, classified lands, floodplains, and wetlands.}

4.7 Other Resources.

4.8 Cumulative Impact Measures.

5.0 CONSULTATION, COORDINATION, AND PUBLIC INVOLVEMENT

5.1 Agencies Consulted.

{List all agencies consulted and include example of letter(s) used. Include all responses in an Appendix. Include a log that documents when letters were sent, responses received, and follow-up contact made. Written responses must be received from <u>all applicable</u> cross-cutting agencies. Comments indicating a significant impact must be addressed in Section 3 with mitigation measures summarized in Section 4.

The list must include the following:

- *New Mexico Department of Cultural Affairs, Historic Preservation Division, State Historic Preservation Officer*
- *Applicable Tribal Contacts*
- *U.S. Department of Interior - National Park Service, Intermountain Region*
- *U.S. Department of Interior - Fish and Wildlife Service, New Mexico Ecological Services Field Office*
- *New Mexico Department of Game and Fish, Conservation Services Division*
- *New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division*
- *U.S. Army Corps of Engineers - Albuquerque District, Regulatory Branch*
- *U.S. Department of Agriculture - Natural Resources Conservation Service, New Mexico State Office*
- *New Mexico Environment Department, Environmental Impact Review Coordinator - env.review@env.nm.gov*
- *New Mexico Environment Department, Surface Water Quality Bureau*
- *New Mexico Environment Department, Ground Water Quality Bureau*
- *New Mexico Environment Department, Drinking Water Bureau*
- *New Mexico Environment Department, Air Quality Bureau (Projects located in air non- attainment or maintenance areas require Federal general conformity determination. Appropriate air emissions information will be required for EPA to perform the determination.)*
- *U.S. Environment Protection Agency, Region VI, Air Planning Section (Consultation is only required for projects located in air non-attainment or maintenance areas.)*
- *U.S. Environment Protection Agency, Source Water Protection Branch/Groundwater Section (Must be consulted for projects located over a sole source aquifer.)*
- *New Mexico Office of the State Engineer*
- *New Mexico Department of Transportation*
- *Federal Emergency Management Agency, Region VI*
- *Local Flood Plain Administrator*

Additionally, the following contacts may be necessary:

- *New Mexico Environment Department, Solid Waste Bureau*
- *Local officials such as city and county governments*
- *Irrigation District (such as MRGCD, EBID, etc.)*
- *Any other Local Special Interest Groups or Neighborhood Associations*
- *Sierra Club, Forest Guardians, and other environmental groups*
- *United States EPA Office of Environmental Justice, Tribal and International Affairs}*

5.2 Public Involvement.

{Include public notice, meeting minutes, project mailing list, and transcripts as an appendix}

5.3 Responsiveness Summary.

{Summarize comments received from the public involvement process and describe the modifications to the PER/EID to accommodate the comments. See 40 CFR 25.8}

6.0 REFERENCES

{List all references used in preparation of the document. When sources are quoted or referred to, they should be properly annotated in the document.}

ALL REFERENCES WILL BE AVAILABLE FOR REVIEW IN THE COMMUNITY'S OFFICES.

ATTACHMENT 4

NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
NEPA EID EVALUATION CHECKLIST

Project Name: _____ Project Number: _____

Project Manager (PM): _____

(Y = yes, N = no, N/A = not applicable. Select "N/A" if no documented coordination is necessary because the project will not affect the applicable crosscutter and provide explanation in the comments.)

ITEM	Y, N, N/A	COMMENT
1.0 PURPOSE AND NEED FOR PROJECT		
1.1 Is the proposed action clearly described in sufficient detail so the potential impacts can be identified?		
1.1 As appropriate, is the project description written broadly enough to encompass future modifications?		
1.2 Does the statement of purpose clearly define the need for the project?		
1.2 Is the statement of purpose written so that it does not inappropriately narrow the range of reasonable alternatives?		
2.0 ALTERNATIVES		
2.0 Does the EID address an appropriate range of reasonable alternatives?		
2.0 If there are alternatives that appear obvious or have been identified by the public, but are not analyzed, does the EID explain why they were excluded from consideration?		
2.1 Does the EID include the "NO ACTION" alternative described in sufficient detail so that its scope is clear, and the potential impacts can be identified?		
2.1 If appropriate, does the NO ACTION alternative discuss legal ramifications of no action?		

ITEM	Y, N, N/A	COMMENT
2-- If appropriate, does the EID discussion of alternatives include: Physical/legal and institutional constraints? Any other comments regarding alternatives?		
2.2 Does the PER adequately state the reason(s) for ranking and rejecting alternatives? Does the PER contain an adequate analysis of each alternative performed to clearly describe benefits and impacts?		
3.0 AFFECTED ENVIRONMENT/ ENVIRONMENTAL CONSEQUENCES		
3.1 Environmental Setting – Overall, is the affected environment adequately described?		
3.2 Land Use – Does the EID address general land use, population projections, important farm and range lands, soils, and formally classified lands such as national parks and wild and scenic rivers? Are mitigation measures described as needed?		
3.3 Floodplains – Does the EID identify whether the proposed project is within a floodplain utilizing the methods in EO 13690? Does the EID document coordination with the local floodplain administrator and FEMA (if necessary)? Are mitigation measures or design modifications described as needed?		
3.4 Wetlands – Does the EID identify whether the project is located in or may affect a wetland? If so, does it document coordination with the U.S. Army Corps of Engineers? Are mitigation measures described as needed?		
3.5 Water Resources (including NPDES permits, Ground Water DP's, 404 permits, etc.) – Does the EID document consultation with NMED DWB, GWQB, & SWQB's and SEO for surface and ground water quality and quantity (if necessary)? Are mitigation measures described as needed?		

ITEM	Y, N, N/A	COMMENT
3.6 Air Quality – Does the EID document whether the project is located in a nonattainment or maintenance area, and if so, whether the project will contribute emissions to the criteria pollutants? Does the EID document coordination with NMED AQB regarding air quality standards compliance and population projections for the State Implementation Plan (if necessary)? Are emissions data for projects located in an air nonattainment or maintenance area included? Are mitigation measures described as needed?		
3.7 Biological Resources – Does the EID adequately describe existing vegetation and wildlife? Does the EID indicate whether the project may affect listed or proposed species and/or critical habitat? Does the EID document coordination with U.S. Fish & Wildlife and NM Dept. of Game & Fish (if necessary)? Does the EID document a no impact finding from U.S. Fish & Wildlife or appropriate mitigation measures?		
3.8 Archeological, Cultural, and Historic Resources – Does the EID document coordination with SHPO? Does the EID document consultation with Indian tribes? Have required field studies been completed? Does the EID document a no impact finding from SHPO or appropriate mitigation measures?		
3.9 Socioeconomic/ Environmental Justice – Does the EID adequately describe socioeconomic conditions? Does the EID document the EJ index in accordance with EJSCREEN or other established tools? Are mitigation measures described as needed?		
3.10 Other Resources – including public health & safety, energy, transportation, visual impacts, and noise. Does the EID adequately address these issues? Are mitigation measures described as needed?		

ITEM	Y, N, N/A	COMMENT
3.11 Cumulative Impacts – Does EID adequately address secondary and cumulative impacts? Are mitigation measures described as needed?		
4.0 SUMMARY OF MITIGATION MEASURES		
4.1 Are mitigation measures specifically listed for: Physical resources		
4.2 Biological Resources		
4.3 Threatened & Endangered Species		
4.4 Socioeconomic/ Environmental Justice		
4.5 Archeological, Cultural, and Historic Resources		
4.6 Environmentally Sensitive Areas		
4.7 Other Resources		
4.8 Cumulative Impacts		
5.0 CONSULTATION, COORDINATION, & PUBLIC INVOLVEMENT		
5.1 Are the agencies contacted for consultation clearly identified, including Tribes where appropriate?		
5.1 Is a sample consultation letter or other notice included along with a mailing list?		
5.1 Are responses included from all agencies contacted?		
5.1 Does the EID contain a contact log documenting when letters were sent, responses received, and follow-up contacts made?		
5.2 Are the minutes and/or transcripts of public meetings included?		
5.3 Does the EID include a Responsiveness Summary for all public meetings?		
OVERALL CONSIDERATIONS		
Is the EID easy to follow, technical terms defined, logical transitions, etc.?		
Are consistent references and terms used throughout the document?		
Are the references complete and adequate for the document?		

Other –		

ATTACHMENT 5

NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
NEPA CONSULTATION/COORDINATION MAILING LIST

Consultation and coordination with public agencies and other stakeholders is **required**. The EID will not be considered complete without documentation of such coordination. As outlined in the November 5, 2013, memo from USEPA Headquarters (Attached), if the State SRF staff performs an internal analysis and conclusively determines that the proposed project has no potential impact on a related federal cross-cutting authority then it is not necessary to consult with the agency responsible for that crosscutter.

This analysis must be written by the CPB project manager and saved in the project file with the other NEPA documents. Written responses must be received from all applicable cross-cutting agencies in situations where the project may affect or will affect the resource protected by the cross-cutting law. The following list is provided as a starting point for the coordination process but should not be considered complete. Local officials and other interest groups should be identified and included in the project mailing list as developed in the Coordination Matrix.

Refer to **Attachment 13 - State Revolving Fund Crosscutter Memo and Handbook** for more instructions on determining whether a project is likely to affect each federal cross-cutting authority.

CONSULT WITH THE NMHPD SHPO FOR ALL PROJECTS:
Contact the Historic Preservation Division to determine whether the proposed project will affect any cultural, archeological, or historic resources, including properties listed on the National Register of Historic Places. They are also responsible for Section 106 Consultation and can assist with identification of tribes that have an interest in the project area. A county-by-county working list of the appropriate tribal contacts is contained on their website at: http://www.nmhistoricpreservation.org/outreach/native-american-consultations.html*. They will require the information outlined in the Project Summary Sheet to complete their review which is elaborated on their website at:* http://www.nmhistoricpreservation.org/programs/review-compliance/section-106.html*. A letter of no impact or required mitigation measures must be included in the EID:*

Director
New Mexico Historic Preservation Division
Department of Cultural Affairs
407 Galisteo Street, Suite 236 Santa Fe,
NM 87501
phone 505-827-6320, fax 505-872-6338
http://www.nmhistoricpreservation.org/

CONSULT WITH THE FOLLOWING AGENCIES ONLY IF THE PROJECT MAY AFFECT THE AGENCY OR APPLICABLE CROSS-CUTTING AUTHORITY:

Project may affect a listed or proposed species or proposed or designated critical habitat:

U.S. Department of Interior - Fish and Wildlife Service New
Mexico Ecological Services Field Office
2105 Osuna Rd NE Albuquerque, NM
87113-1001
phone 505-346-2525, fax 505-346-2542
http://www.fws.gov/southwest/es/NewMexico/

New Mexico Department of Game and Fish
Conservation Services Division
P.O. Box 25112
Santa Fe, NM 87504 phone 505-
476-8000
http://www.wildlife.state.nm.us/conservation/wildlife-species-information/

New Mexico Energy, Minerals, and Natural Resources Department Forestry
Division
1220 S. St. Francis Drive – PO Box 1948 Santa Fe, NM
87505-1948
phone 505-476-3325 fax 505-476-3330
http://www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html

If CPB determines that there may be an effect to species or habitat, then informal consultation is required, as is a concurrence letter from USFWS. If there are significant adverse effects from a project, then a Biological Opinion is required from the USFWS resulting from Section 7 formal consultation.

Project will affect a designated or studied Wild and Scenic River:

Contact the Natural Resource Office of the National Park Service to discuss potential impacts to wild and scenic rivers (http://www.rivers.gov/new-mexico.php), national natural landmarks (http://www.nature.nps.gov/nnl/state.cfm?State=NM), or wilderness areas (http://www.wilderness.net/NWPS/stateView?state=NM)

U.S. Department of Interior - National Park Service
Intermountain Region
12795 Alameda Pkwy
Denver, CO 80225
phone 303-969-2500
email IMRextrev@nps.gov – please send all correspondence by email.

Project will affect a national natural landmark or wilderness area:

Contact the Natural Resource Office of the National Park Service to discuss potential impacts national natural landmarks (http://www.nature.nps.gov/nnl/state.cfm?State=NM), or wilderness areas (http://www.wilderness.net/NWPS/stateView?state=NM)

U.S. Department of Interior - National Park Service
Intermountain Region
12795 Alameda Pkwy
Denver, CO 80225
phone 303-969-2500
email IMRextrev@nps.gov – please send all correspondence by email.

Historic properties are discovered after the project has begun and potential adverse effects may occur:

Contact the Natural Resource Office to coordinate data recovery and preservation activities when the proposed project may cause irreparable loss or destruction of significant scientific, prehistoric, historic, or archeological data. Guideline NPS-28 outlines the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation:

U.S. Department of Interior - National Park Service
Intermountain Region
12795 Alameda Pkwy
Denver, CO 80225
phone 303-969-2500
email IMRextrev@nps.gov – please send all correspondence by email.

Project is located in or affects a wetland:

The Corps of Engineers must be consulted regarding wetlands determination and floodplain management. They are responsible for issuing 404 permits for any work in the waterways:

U.S. Army Corps of Engineers - Albuquerque District Regulatory
Branch
4101 Jefferson Plaza NE Albuquerque,
NM 87109-3435
phone 505-342-3374, fax 505-344-1461
http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx

Project has potential adverse effects on important farmlands:

The Natural Resources Conservation Service should be consulted to determine whether prime farmlands exist in the project area and may be adversely affected. The Conservation Service uses Form AD-1006 (10-83), Farmland Conversion Impact Rating, as a tool for considering impacts to prime farmland. They also publish a Prime Farmland Survey that lists prime farmland by county according to soil type:

State Conservationist
U.S. Department of Agriculture - Natural Resources Conservation Service New Mexico
State Office
6200 Jefferson NE
Albuquerque, NM 87109-3734
phone 800-410-2067 fax 855-538-6003
http://www.nrcs.usda.gov/wps/portal/nrcs/site/nm/home/

Project involves new or increased discharges: The New Mexico Environment Department Environmental Impact Review Coordinator should be contacted for all projects in New Mexico. All other NMED Bureaus contacted should be done so by courtesy copy (cc) to the Bureau of the letter to the Coordinator:

Environmental Impact Review Coordinator -
New Mexico Environment Department
ENV.Review@env.nm.gov
P.O. Box 5469
Santa Fe, NM 87502-5469
phone 505-827-2855

The Surface Water Quality Bureau (SWQB) should be contacted to regard any discharges to surface water, including non-point source and temporary discharges such as dewatering operations and erosion control requiring a Storm Water Pollution Prevention Plan (SWPPP) when five (5) or more acres will be disturbed. The SWQB must concur with Corps of Engineer 404 permits and certify that water quality will not be adversely affected. They also evaluate plans for land application of sewage sludge to determine compliance with EPA Part 503 regulations and for compliance with Section 208 Planning:

cc: Chief
New Mexico Environment Department
Surface Water Quality Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469
phone 505-827-0187 fax 505-827-0160
https://www.env.nm.gov/swqb/

The Ground Water Quality Bureau (GWQB) should be consulted whenever waste discharges might affect ground water quality. They are responsible for issuing permits (Discharge Permits) for facilities that discharge to the ground water:

cc: Chief
New Mexico Environment Department
Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469
phone 505-827-2900 fax 505-827-2965
https://www.env.nm.gov/gwb/

Project modifies a community water supply system:

The Drinking Water Bureau (DWB) should be consulted whenever community water systems are involved in the project. They are responsible for reviewing and approving all modifications to a community water supply system:

cc: Chief
New Mexico Environment Department
Drinking Water Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469
phone 877-654-8720
https://www.env.nm.gov/dwb/index.htm

Project involves solid waste facilities:

The Solid Waste Bureau (SWB) should be consulted whenever solid waste facilities are involved in the project. They are responsible for ensuring that solid waste is managed in such a way as to minimize impact on the environment and public health:

cc: Chief
New Mexico Environment Department
Solid Waste Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469
phone 505-827-0197 fax 505-827-2902
https://www.env.nm.gov/swb/

Project emissions will exceed de minimis thresholds for nonattainment pollutants:

The Air Quality Bureau is responsible for determining compliance with the State Air Quality Implementation Plan (SIP) and will review the proposed project for changes in air quality. Of particular concern is consistency of population projections in the SIP and the PER: Projects located in air non-attainment or maintenance areas require Federal general conformity determination. Appropriate air emissions information will be required for EPA to perform the determination.

cc: Chief
New Mexico Environment Department Air
Quality Bureau
525 Camino de los Marquez
Suite #1
Santa Fe, NM 87505-1816
phone 505-476-4300 fax 505-476-4375
https://www.env.nm.gov/aqb/

The EPA Air Planning Section is responsible for reviewing and approving a "general conformity applicability analysis" and determining regulation requirements. Consultation is only required for projects located in air non-attainment or maintenance areas:

Air Planning Section (6PD-L)
Multimedia Planning and Permitting Division EPA Region 6
1445 Ross Avenue, Suite 700
Dallas, TX 75202-2733
phone 214-665-2200

Project involves transfer of water rights or dam modifications:

The Office of the State Engineer is responsible for administering all water rights within the State of New Mexico. Land application of wastewater may affect return flow credits and the State Engineer should be consulted. The Engineer also reviews dam design and construction:

State Engineer
New Mexico Office of the State Engineer PO Box
25102
Santa Fe, NM 87504-5102
phone 505-827-6091 fax 505-827-3806
http://www.ose.state.nm.us/

Project impacts state highways:

The NMSHTD must review and approve projects that could impact state highways or require permits for construction within their right-of-way:

New Mexico Department of Transportation
Environmental Design Bureau
P.O. Box 1149
Santa Fe, NM 87504-1149
phone 505-827-5100 fax 505-827-5469
http://dot.state.nm.us/en/Program_Management.html#EDS

Project is located in or affects a floodplain:
Contact the Local Flood Plain Administrator for the relevant county, and

Project requires a Floodplain Development Permit:
Federal Emergency Management Agency Region VI
FRC 800 N. Loop 288
Denton, TX 76209-3698
phone 940-898-5399
https://www.fema.gov/region-vi-arkansas-louisiana-new-mexico-oklahoma-texas

The Environmental Information Document describing mitigating and design measures must be submitted by the SRF applicant to the state SRF agency, which prepares a preliminary finding on whether the applicant has ensured compliance with Executive Order No. 11988, as amended by Executive Order No. 13690. Notice of this finding should be given to FEMA, which may provide recommendations for improving mitigation measures or further modifying the project's design to enhance flood protection. Public notification and review are required for each plan or proposal for

action taking place within a floodplain and the project area community must be informed why the proposed project is to be located in a floodplain.

Project is in the vicinity of a sole source aquifer:

The Environmental Protection Agency, Source Water Protection Branch must be contacted for projects located over a sole source aquifer:

U.S. Environment Protection Agency Region 6
Source Water Protection Branch/Groundwater Section (6WQ-SG)
1201 Elm Street, Suite 500
Dallas, Texas 75270
800-887-6063
214-665-2760 (Outside of Region 6)

Other Local (Project Specific) Contacts:
Local officials such as city and county governments
Irrigation District (such as MRGCD, EBID, etc.)
Any other Local Special Interest Groups or Neighborhood Associations
Sierra Club, Forest Guardians, and other environmental groups

The National Historic Preservation Act requires notification of American Indian tribes that may have occupied or have historical ties to the project area. The New Mexico Historic Preservation Division maintains a county-by-county working list for determining which Native American Indian tribes want to be consulted for proposed projects in various geographic parts of New Mexico and contact information for pueblos and reservations are available for download from the New Mexico Historic Preservation Division Native American Consultations website at
http://www.nmhistoricpreservation.org/outreach/native-american-consultations.html

{PROJECT TITLE AND NUMBER} **AGENCY COORDINATION TRACKING TABLE -- PAGE OF**					
AGENCY/PARTY	**PHONE NUMBER**	**DATE SENT**	**DATE REC'D**	**DATE FOLLOW-UP**	**COMMENTS**

ATTACHMENT 6

*{**SAMPLE AGENCY CONSULTATION/REQUEST FOR COMMENT LETTER**}*

{Date}

{Contact Addressee}

{Address}

RE: *{Project Name and identifying CWSRF number}*

The *{community}* has *{requested or received}* funding for a *{project and funding type}* through the Clean Water State Revolving Loan Fund (CWSRF), administered by the New Mexico Environment Department Construction Programs Bureau (NMED-CPB). We are gathering information for an environmental review of the referenced project. The project is described in the attached project summary sheet and the location is depicted on the attached location map. *{Provide detailed description such that reviewer will understand scope and nature of project and the nature of the comment you expect from them – see Guidelines for Project Summary Sheet}*

{<u>Insert for NMED Air Quality Bureau</u>: Please inform us if any population projections have been prepared for this area as part of the State Implementation Plan and, if so, please provide those projections. Your evaluation of direct and indirect emissions and their impact on air quality would be appreciated.}

The environmental review process requires coordination with pertinent agencies and interested parties. Your review and comment on the proposed project are an important element in the overall review.

To provide verbal comments or for more information, please contact *{name and telephone number}*.

{Name and signature}

{Title}

ACKNOWLEDGEMENT:

As a representative for the referenced organization, the undersigned acknowledges receipt of this request for comment, and having reviewed the attached project summary and additional information,

☐ have no comments,

☐ have comments (Please describe in the space below or on another sheet of paper).

Signature: _____ Date: _____

Name: _____ Title: _____

Comments:

ATTACHMENT 7

*{**SAMPLE TRIBAL CONSULTATION/REQUEST FOR COMMNENT LETTER**}*

{Date}

{Contact Addressee}

{Address}

RE: *{Project Name and identifying CWSRF number}*

The *{community}* has *{requested or received}* funding for a *{project and funding type}* through the Clean Water State Revolving Loan Fund (CWSRF), administered by the New Mexico Environment Department Construction Programs Bureau (NMED-CPB). The NMED is gathering information for an environmental review of the referenced project. The project is described in the attached project summary sheet and the location is depicted on the attached location map. *{Provide detailed description such that reviewer will understand scope and nature of project and the nature of the comment you expect from them – see Guidelines for Project Summary Sheet}*

In accordance with the NMED's environmental review procedures for wastewater construction loans funded by the CWSRF program as outlined in the State Environmental Review Process (SERP), NMED-CPB is seeking comments on the proposed project and whether consultation may be appropriate.

Section 106 of the National Historic Preservation Act requires consultation be offered to all tribes, nations, and pueblos with current land ownership in New Mexico and notice provided to those tribes with historical use and occupancy that request it to determine whether the proposed project has the potential to disturb areas considered important or culturally significant. Culturally significant areas might include traditional plant use areas, traditional mineral areas, shrines or important geologic formations, archeological sites, or any other areas deemed culturally significant to the tribes, pueblos, and nations with historical ties to New Mexico. We would appreciate your determination if you have religious or cultural ties to the project area. Please provide any comments or concerns you may have about the proposed project described in the attached documents and whether consultation may be appropriate. You may will out the attached acknowledgement form or provide a separate letter with any pertinent information. Please return any information within 33 days of the date of this letter.

Please mail the attached form or other correspondence to *{NMED CPB PM, address and e-mail}* or provide verbal comments or inquiry by calling *{NMED CPB PM, phone #}*.

Thank you for your attention to this matter.

Sincerely,

{Cabinet Secretary}
Cabinet Secretary

NAME: *{Contact Addressee}*
ENTITY: *{Tribe/Pueblo/Nation}*

{Project Name and Identifying CWSRF number}

ACKNOWLEDGEMENT:

As an official representative for the referenced government, the undersigned acknowledges receipt of this request for comment, and having reviewed the attached project summary and additional information, states:

☐ No comment

☐ Comments (Please describe in the space below or on another sheet of paper and identify whether consultation may be appropriate).

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Comments:

ATTACHMENT 8
COUNTY TRIBAL CONSULTATION LIST

This is a county-by-county working list generated by the NM Historic Preservation Division. Verify the current list at:
http://www.nmhistoricpreservation.org/outreach/native-american-consultations.html

BERNALILLO Hopi Tribe Isleta Pueblo Laguna Pueblo Navajo Nation Ohkay Owingeh (San Juan) Pueblo Sandia Pueblo White Mountain Apache Tribe Ysleta del Sur	**COLFAX** Comanche Indian Tribe Kiowa Tribe Jicarilla Apache Nation Mescalero Apache Tribe Taos Pueblo
CATRON Acoma Pueblo Fort Sill Apache Tribe Hopi Tribe Isleta Pueblo Laguna Pueblo Mescalero Apache Tribe Navajo Nation White Mountain Apache Tribe	**CURRY** Apache Tribe of Oklahoma Comanche Indian Tribe Kiowa Tribe Mescalero Apache Tribe
CHAVES Apache Tribe of Oklahoma Comanche Indian Tribe Kiowa Tribe Mescalero Apache Tribe Tesuque Pueblo Ysleta del Sur Pueblo	**De BACA** Comanche Indian Tribe Isleta Pueblo Kiowa Tribe Mescalero Apache Tribe Navajo Nation
CIBOLA Acoma Pueblo Hopi Tribe Isleta Pueblo Laguna Pueblo Mescalero Apache Tribe Navajo Nation Zuni Pueblo	**DONA ANA** Comanche Indian Tribe Fort Sill Apache Tribe Isleta Pueblo Kiowa Tribe (east half of county) Mescalero Apache Tribe Navajo Nation Tesuque Pueblo White Mountain Apache Tribe Ysleta del Sur Pueblo

EDDY	**LEA**
Comanche Indian Tribe Kiowa Tribe Mescalero Apache Tribe Tesuque Pueblo Ysleta del Sur Pueblo	Apache Tribe of Oklahoma Comanche Indian Tribe Kiowa Tribe Mescalero Apache Tribe Ysleta del Sur Pueblo
GRANT	**LINCOLN**
Acoma Pueblo Fort Sill Apache Tribe Hopi Tribe Isleta Pueblo Mescalero Apache Tribe Navajo Nation White Mountain Apache Tribe Zuni Pueblo	Comanche Indian Tribe Isleta Pueblo Kiowa Tribe Mescalero Apache Tribe White Mountain Apache Tribe Ysleta del Sur Pueblo
GUADALUPE	**LOS ALAMOS**
Comanche Indian Tribe Isleta Pueblo Jicarilla Apache Nation Kiowa Tribe Mescalero Apache Tribe Navajo Nation	Cochiti Pueblo Comanche Indian Tribe Hopi Tribe Jemez Pueblo Navajo Nation Ohkay Owingeh (San Juan) Pueblo Santa Clara Pueblo San Ildefonso Pueblo Tesuque Pueblo
HARDING	**LUNA**
Comanche Indian Tribe Jicarilla Apache Nation Kiowa Tribe Mescalero Apache Tribe	Fort Sill Apache Tribe Hopi Tribe Mescalero Apache Tribe White Mountain Apache Tribe Ysleta del Sur Pueblo
HIDALGO	**McKINLEY**
Fort Sill Apache Tribe Hopi Tribe Mescalero Apache Tribe White Mountain Apache Tribe	Acoma Pueblo Hopi Tribe Isleta Pueblo Laguna Pueblo Navajo Nation Tesuque Pueblo Zuni Pueblo

MORA Comanche Indian Tribe Hopi Tribe Jicarilla Apache Nation Kiowa Tribe Mescalero Apache Tribe Navajo Nation Taos Pueblo Tesuque Pueblo	**RIO ARRIBA** Comanche Indian Tribe Hopi Tribe Jicarilla Apache Nation Kiowa Tribe Navajo Nation Ohkay Owingeh (San Juan) Pueblo Picuris Pueblo Pojoaque Pueblo San Ildefonso Pueblo Santa Clara Pueblo Southern Ute Tribe Taos Pueblo Tesuque Pueblo Zia Pueblo
OTERO Comanche Indian Tribe Isleta Pueblo Kiowa Tribe Mescalero Apache Tribe White Mountain Apache Tribe Ysleta del Sur Pueblo	**ROOSEVELT** Apache Tribe of Oklahoma Comanche Indian Tribe Kiowa Tribe Mescalero Apache Tribe
QUAY Apache Tribe of Oklahoma Comanche Indian Tribe Isleta Pueblo Jicarilla Apache Nation Kiowa Tribe Mescalero Apache Tribe Pawnee Tribe	**SANDOVAL** Cochiti Pueblo Comanche Nation Hopi Tribe Isleta Pueblo Jemez Pueblo Jicarilla Apache Nation Laguna Pueblo Navajo Nation Ohkay Owingeh (San Juan) Pueblo San Felipe Pueblo San Ildefonso Pueblo Sandia Pueblo Santa Ana Pueblo Santa Clara Pueblo Santo Domingo Pueblo Tesuque Pueblo Zia Pueblo

SAN JUAN	**SIERRA**
Acoma Pueblo Hopi Tribe Laguna Pueblo Kiowa Tribe Navajo Nation Ohkay Owingeh (San Juan) Pueblo Southern Ute Tribe Tesuque Pueblo Ute Mountain Ute Tribe Zia Pueblo	Comanche Nation Fort Sill Apache Tribe Hopi Tribe Isleta Pueblo Kiowa Tribe (east half of county) Mescalero Apache Tribe Navajo Nation White Mountain Apache Tribe Ysleta del Sur Pueblo
SAN MIGUEL	**SOCORRO**
Apache Tribe of Oklahoma Cochiti Pueblo Comanche Indian Tribe Hopi Tribe Isleta Pueblo Jicarilla Apache Nation Jemez Pueblo Kiowa Tribe Mescalero Apache Tribe Navajo Nation Tesuque Pueblo Wichita and Affiliated Tribes Zuni Pueblo	Acoma Pueblo Comanche Indian Tribe Fort Sill Apache Tribe (west half of county) Hopi Tribe Isleta Pueblo Kiowa Tribe (east half of county) Mescalero Apache Tribe Navajo Nation White Mountain Apache Tribe
SANTA FE	**TAOS**
Cochiti Pueblo Comanche Nation Hopi Tribe Isleta Pueblo Jicarilla Apache Nation Kiowa Tribe Nambe Pueblo Navajo Nation Ohkay Owingeh (San Juan) Pueblo Pojoaque Pueblo San Ildefonso Pueblo Sandia Pueblo Santa Clara Pueblo Santo Domingo Pueblo Tesuque Pueblo	Comanche Indian Tribe Hopi Tribe Isleta Pueblo Jicarilla Apache Nation Kiowa Tribe Navajo Nation Ohkay Owingeh (San Juan) Pueblo Picuris Pueblo Southern Ute Tribe Taos Pueblo Tesuque Pueblo

TORRANCE Comanche Indian Tribe Hopi Tribe Isleta Pueblo Jicarilla Apache Nation Kiowa Tribe Mescalero Apache Tribe Navajo Nation Tesuque Pueblo White Mountain Apache Tribe	**UNION** Apache Tribe of Oklahoma Comanche Indian Tribe Jicarilla Apache Nation Kiowa Tribe Mescalero Apache Tribe Pawnee Tribe
VALENCIA Comanche Indian Tribe Hopi Tribe Isleta Pueblo Laguna Pueblo Navajo Nation White Mountain Apache Tribe	

ATTACHMENT 9

GUIDELINES FOR PROJECT SUMMARY SHEET
(To be included with request for comment/consultation letter)

At a minimum the project summary sheet should include the information listed below. Items include information required by the State Historic Preservation Division for Section 106 consultation. The objective is to provide sufficient information to the reviewer such that the environmental consequences of the proposed project can be completely evaluated.

1. Detailed description of the proposed project, including related activities to be carried out in conjunction with the project and the land status of real property in the area of effect. This description should explain the scope of work. Preliminary drawings or plans of the project design on USGS and/or other appropriate map should be included. It should provide the setting to determine the potential impacts on air quality, floodplains, wetlands, biologic, and cultural resources at a minimum.

2. Descriptions of the size of the project area, terrain, and present land uses of the project and adjacent land. Current photographs of the land to be used for the proposed project are helpful, particularly of any potential historic structures. Any additional information on kind and degree of prior or existing surface disturbance should also be included.

3. A portion of the USGS 7.5' quadrangle map **must** be attached with the project area clearly marked on it. The name of the quadrangle and the township, range, and section of the project area **must** be included with the map or displayed on it. A legible photocopy is acceptable.

4. Include a written description of the proposed boundaries of the project's *Area of Potential Effects* (APE). This should also be marked on the map if the APE does not coincide with the project area. For example, effects may extend beyond the area of ground disturbance.

5. A detailed description of efforts that are being made or on-going to identify and evaluate properties (including historic structures and archaeological sites) in the APE that are listed on or eligible to the National Register of Historic Places and the NM State Register of Cultural Properties. Results from these efforts must be provided to the State Historic Preservation Division (SHPO) before a determination of effect can be made. Any archaeological sites, historic buildings, or other cultural resources identified in the general area must be noted.

6. A description of efforts to identify whether Native American tribes that may be culturally affiliated with traditional cultural properties or other kinds of sites within the APE have any concerns related to the proposed undertaking. (*SHPO can assist with this*.)

7. Identification of all funding sources: federal, state, state trust, private, local, or combination.

8. Description of any cultural or biological studies that have been completed, their results, and recommendations.

ATTACHMENT 10

SAMPLE NOTICE OF PUBLIC SCOPING MEETING

{COMMUNITY NAME}

{DESCRIPTIVE PROJECT NAME}

{PROJECT NUMBER}

Date: *{At least 45 days after notice is published}*

Time: *{Should be scheduled to maximize public participation}*

Place: *{Should be conveniently located}*

Agenda: *{From Time A to Time B - presentation of project background and purpose}*

{From Time C to Time D - presentation of alternatives identified to date and process to follow}

{From Time E to Time F - public question and answer and comments}

Purpose: The *{Community}* has applied for funding from the Clean Water State Revolving Fund (CWSRF) loan program to *{describe project}*. The purpose of this public meeting is to provide notice of the proposed project, identify issues of concern, identify a preliminary range of alternatives to be considered, identify potential cooperating agencies and other stakeholders, and enlist public participation in development of the project plan.

For more information contact: *{Name, address, telephone number}*

NOTICE TO PERSONS WITH DISABILITIES: If special assistance is required to participate in this public meeting, please contact the person above at least three days prior to the meeting so arrangements can be made. *{Add as appropriate}*

ATTACHMENT 11

SAMPLE NOTICE OF PUBLIC MEETING

{COMMUNITY NAME}

{DESCRIPTIVE PROJECT NAME}

{PROJECT NUMBER}

Date: *{At least 30 days after notice is published}*

Time: *{Should be scheduled to maximize public participation}*

Place: *{Should be conveniently located}*

Agenda: *{From Time A to Time B - review project background and purpose}*

{From Time C to Time D - summary of preliminary engineering report/ environment information document}

{From Time E to Time F - public question and answer and comments}

Purpose: The *{Community}* has *{applied for/been granted/etc.}* funding from the *{Clean Water State Revolving Fund Loan/State and Tribal Assistance Grant/etc.}* program to *{describe project including timetable in which a decision will be reached, the issues under consideration, any alternative courses of action or tentative determinations made}*.

The purpose of this public meeting is to present applicable laws and/regulations, to review the draft preliminary engineering report and environmental information document, seek public comment, identify issues of concern, present the range of alternatives considered, and enlist public participation in development of the project plan.

Contact: For copies of available documents or for more information contact: *{Name, address, and telephone number}*

NOTICE TO PERSONS WITH DISABILITIES: If special assistance is required to participate in this public meeting, please contact the person above at least three days prior to the meeting so arrangements can be made. *{Add as appropriate}*

ATTACHMENT 12 RESPONSIVENESS SUMMARY

IN THE MATTER OF THE PUBLIC MEETING REGARDING: *(Describe the Project subject to the public meeting)*		
Summary of Public Comments: *(Provide a general summary of the comments received at the public meeting)*		
Specific Public Comment[1]	**Agency Response[2]**	**Modifications in response to public comment[3]**
1)		
2)		
3)		
4)		
5)		
6)		
7)		
8)		

1 List each specific, significant public comment.
2 Provide a response to comment.
3 Explain what changes were made in the project or environmental document in response to the comment or why the comment was rejected.

Attachment 13 – State Revolving Fund Crosscutter Memo and Handbook

Procedures for Implementing Envirc

CrosscutterHandbook (2).pdf