Notice that the New Mexico Environment Department, Surface Water Quality Bureau is Reviewing the LOMAS ENCANTADAS SUBDIVISION, SPA-2004-00227-ABQ for the Purpose of Preparing a State Certification or Denial Pursuant to Section 401 of the Federal Clean Water Act, and Opportunity for Public Comment

Pursuant to the Federal Clean Water Act, Section 404 (CWA), the U.S. Army Corps of Engineers (Corps) is in the process of issuing a Dredge and Fill General Permit to cover discharges at the Lomas Encantadas Subdivision located within the City of Rio Rancho, Sandoval County and Arroyo Venada, a tributary to the Rio Grande. The purpose of the project is residential development. The project would result in the permanent discharge of fill material into approximately 27,961 linear feet (5.30 miles / 9.67 acres) of waters of the United States and surface waters of the state of New Mexico by converting open natural arroyos to gravity sanitary sewer and storm water collection systems. Construction methods of earthmoving, grading, compaction, placement of subgrade base materials, paved roads with sidewalks, wet and dry utility installation, overall drainage management plan and storm drain system for stormwater management, and residential house/lot construction are proposed.

The applicant is:

Mr. Jarrod Likar
Amrep Southwest, Incorporated
333 Rio Rancho Drive, NE, Suite 202
Rio Rancho, New Mexico 87124


This Notice serves to notify the public that the New Mexico Environment Department (Department), Surface Water Quality Bureau (SWQB) will consider certification under Section 401 of the CWA. The purpose of certification is to reasonably ensure that the permitted activities will comply with applicable New Mexico water quality standards, including the anti-degradation policy, and the statewide water quality management plan. This Notice is also posted on the SWQB website at: https://www.env.nm.gov/surface-water-quality/public-notices/.

The Department will accept written comments regarding the state certification of the draft permit until 5:00 p.m. MDT on December 9, 2019. The Department will consider all comments timely received in its preparation of the state certification. Comments may be submitted electronically or by hard copy to:

Abraham J. Franklin
Program Manager, Watershed Protection Section
NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED’s non-discrimination programs, policies or procedures, you may contact:

Kristine Yurdin, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
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If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at https://www.env.nm.gov/non-employee-discrimination-complaint-page/ to learn how and where to file a complaint of discrimination.