

U.S. Army Corps of Engineers (USACE)
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

33 CFR 325. The proponent agency is CECW-CO-R.

*Form Approved -
OMB No. 0710-0003
Expires: 02-28-2022*

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcl.dod.mil/Privacy/SORNS/Index/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Jennifer Middle - Last - Faler Company - U.S. Bureau of Reclamation E-mail Address - jfaler@usbr.gov	8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Ann Middle - Last - Demint Company - U.S. Bureau of Reclamation E-mail Address - ademint@usbr.gov
6. APPLICANT'S ADDRESS: Address- 555 Broadway Blvd NE Suite 100 City - Albuquerque State - NM Zip - 87102 Country -USA	9. AGENT'S ADDRESS: Address- 555 Broadway Blvd NE Suite 100 City - Albuquerque State - NM Zip - 87102 Country -USA
7. APPLICANT'S PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax 505-462-3541	10. AGENTS PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax 505-462-3654

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Ann Demint to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT

2022-02-22

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Los Lunas River Mile 163 River-System Maintenance Project	14. PROJECT STREET ADDRESS (if applicable) Address N/A City - Los Lunas State- NM Zip- 87031
13. NAME OF WATERBODY, IF KNOWN (if applicable) Rio Grande	
15. LOCATION OF PROJECT Latitude: °N 34.818413 Longitude: °W -106.712860	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID N/A Municipality Los Lunas Section - N/A Township - N/A Range - N/A	

17. DIRECTIONS TO THE SITE

The project site is located approximately 2 miles above the NM-6 bridge in Los Lunas, New Mexico, on the east and west floodplains of the Rio Grande. Access is via MRGCD levee roads. Contact agent or MRGCD for keys to gates on levee roads.

18. Nature of Activity (Description of project, include all features)

The project components consist of five bank lowering polygon areas within the historic channel and one relic berm removal in the eastern historic floodplain. These project components will improve the channel conveyance by increasing the width (partial restoration to historical widths) of the river both on the west and east banks of the river. The relic berm will also be removed as it has been trapping water on the floodplain against the levee and preventing the water from flowing downstream. Excavated materials will be placed against the east and west levees above the OWHM. Other project components include associated access roads, staging areas for equipment, and spoils areas. Additional information on the project can be found in the attached project description.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the Los Lunas River Mile 163 River-System Maintenance Project is to improve water conveyance, to improve and diversify riverine habitat, and to reduce flood risk through the Los Lunas Subreach. The primary goal is to reduce the water surface elevation by increasing channel capacity to reduce overbanking into the historic floodplain (defined as the floodplain outside the 550-foot-wide channel established by jetty jacks in 1960s-1970s) at flows less than 3,500 cubic feet per second (cfs) between River Mile 164 and River Mile 162. The secondary goals of this project are to consider the environmental and geomorphic benefits and impacts, and to be cost-effective. Thus, project components were selected to include areas where encroaching vegetation and bar/island accretion have resulted in reduced channel capacity while keeping the excavations to less than 100,000 CY. Terraced banks were used to increase the inundated areas at lower flows in some of the areas to provide inundated nursery habitat for the Rio Grande silvery minnow (*Hybognathus amarus*). This will provide low velocity floodplain habitat for the Rio Grande silvery minnow during low flow years when there is a minimal spring runoff peak.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Incidental discharge during bank lowering and berm removal activities may occur.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type	Type	Type
Amount in Cubic Yards	Amount in Cubic Yards	Amount in Cubic Yards
96,024 cubic yards of alluvial sediment		

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres Perennial Stream: 0.73 acres; R2UBH: 13.91 acres.

or

Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

Best management practices are detailed on page 22 of Reclamation's River Mile 163 Project Description document (Chapter 5). As a minimization measure, the berm removal procedure was changed in order to avoid impacting Wetland 4. Wetland impacts are expected to be temporary, with wetlands fully regenerating in the project area. A wetland mitigation and monitoring plan will be submitted to the Corps.

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- Middle Rio Grande Conservancy District, 1931 2nd St SW

City - Albuquerque State - New Mexico Zip - 87102

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
Bur. of Reclamation	FONSI				
USFWS	Biological Opinion			2 Dec 2016	

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

_____	2022-02-22	_____	2022-02-09
SIGNATURE OF APPLICANT	DATE	SIGNATURE OF AGENT	DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.