US Army Corps
of Engineers®
Albuquerque District

JOINT PUBLIC NOTICE

Application Number: **SPA-2012-00566-ABQ**
Date: **January 29, 2016**
Comments Due: **March 1, 2016**

See comment submittal section for details on how to submit comments.

SUBJECT: The U.S. Army Corps of Engineers, Albuquerque District, (Corps) and the New Mexico Environment Department's Surface Water Quality Bureau (SWQB) are evaluating an application for the New Mexico 434 Roadway Improvement Project (NM 434), located near Guadalupita, Mora County, New Mexico, which would result in both temporary and permanent impacts both wetlands and non-wetland (other) waters of the United States (WoUS) including Coyote Creek, Big Blue Creek and an unnamed tributary to Coyote Creek. This notice is to inform interested parties of the proposed activity and to solicit comments.

AUTHORITY: This application is being evaluated under Sections 404 and 401 of the Clean Water Act (CWA) for the discharge of dredged or fill material in WoUS. State water quality certification is provided under the authority of 20.6.2 New Mexico Administrative Code.

APPLICANT:

David E. Trujillo, P.E.
District 4 Engineer
New Mexico Department of Transportation (NMDOT)
PO Box 10
Las Vegas, NM 87701

LOCATION: The project site is located on or near Coyote and Big Blue Creeks, as described below and on the attached figures, on NM 434 between mileposts 17.24 and 19.66. Beginning coordinates: UTM 479,149 E, 4,004,151 N. End coordinates: UTM 478, 892E, 4,007,794 N.

PROJECT DESCRIPTION: The applicant proposes to widen NM 434 between

mileposts 17.24 and 19.66 to accommodate two 11-foot wide lanes with 2-foot outside shoulders. The proposed expansion would reside primarily within the existing roadway and right of way but would include some shifts in alignment. The proposed project would replace two bridges within the project area, which would be located slightly to the east of the existing bridges to allow for traffic during construction. There would also be a temporary crossing on Big Blue Creek consisting of a 36-inch culvert to allow traffic during the replacement of the existing Big Blue Creek culvert with a 14-foot bottomless structure. The applicant has stated their overall project purpose and need is to widen NM 434 and replace the bridges and culvert to meet current federal safety standards. The Corps has not yet made a determination of basic and overall project purpose. The attached drawings provide additional project details. The Federal Highways Administration (FHWA) is providing funding for this project and, as such, is designated lead federal agency for the project.

Table of proposed impacts for the applicant's preferred alternative:

	Milepost	Permanent Waters of the US Impacts (Acres)	Permanent Wetland Loss (Acres)	Temporary Wetland Impacts (Acres)
W1-Coyote Creek	17.24	0	0.063	0.072
W2-Coyote Creek	18.3	0.0002	0.012	0.079
W3-Coyote Creek	18.56	0	0.019	0.041
W4-Coyote Creek	19.05	0	0.075	0.008
W5-Coyote Creek	19.1	0.007	0.016	0.008
W6-Coyote Creek Lower Bridge	19.18	0.005	0.003	0.005
W7-Coyote Creek	19.25	0	0	0.005
W8-Coyote Creek Upper Bridge	19.4	0	0	0
W9-Big Blue Creek	19.5	0.003	0.017	0.018
Unnamed #1	19.4	0 (no crossing)	0	0
Unnamed #2	19.0	0.004	0	0
Total		**0.019**	**0.205**	**0.236**

PROPOSED MITIGATION: Three parcels totalling 8.3 acres are being acquired by NMDOT on Coyote Creek to facilitate mitigation for both permanent impacts to WoUS and occupied suitable habitat for New Mexico meadow jumping mouse (*Zapus hudsonius*

luteus) (NMMJM). The NMDOT has developed a mitigation plan (NM 434 Roadway Reconstruction Project Wetland Mitigation and Habitat Conservation Plan, Ecosphere/NMDOT, December 2015) that describes the baseline ecological information for these three parcels, the proposed mitigation (fencing) and monitoring. When the Corps reaches a permit decision, the required South Pacific Division Mitigation Ratio-Setting Checklist will be utilized to determine any final mitigation requirements.

ADDITIONAL INFORMATION:

Environmental Setting. The 2.4-mile long project area includes the right-of-way for the highway. Within the project area there are nine wetlands that vary from beaver ponds to old oxbow channels to fringe wetlands adjacent to the active channel of Coyote Creek. A combined total of 1.73 acres of jurisdictional WoUS occur within the project area. The project area is within the southern end of the Rocky Mountain Physiographic Province and much of the vegetation is affiliated with the Rocky Mountain flora. The uplands are dominated by Montane Coniferous Forest (Mixed Conifer) and the riparian areas are dominated by Montane Riparian Forest. There are also extensive pockets of riparian emergent vegetation along Coyote Creek. Wetlands occurring within the project area are palustrine and riverine, and some of the oxbow/back-channel wetlands include palustrine marshes.

Alternatives. The applicant has provided information concerning project alternatives. These are described below:

No federal action/no action
The evaluation of this alternative considers the effects of not completing the project along NM 434 and leaving the roadway in its current condition. A continuous pavement rehabilitation and maintenance program would be needed to continue the functional life of the facility. Existing geometric deficiencies, insufficient lane and shoulder width, and drainage issues would not be addressed.

Build Alternatives
Alternative I – Widen Lanes: Alternative I would include the reconstruction of approximately 2.4 miles of NM 434 including the replacement of two existing bridges over Coyote Creek. Under this alternative the existing roadway would be widened to provide adequate width for two lanes of traffic. The proposed widening would be accomplished by using a narrowed typical section consisting of two eleven-foot driving lanes with no outside shoulders. The roadway footprint would be kept to a minimum by employing a steepened (3:1) taper & ditch fore-slope. The re-constructed roadway would closely follow the alignment of the existing highway introducing minor alignment shifts as necessary to correct deficient geometrics, minimize impacts to areas located adjacent to the roadway, and to accommodate construction of the roadway and two new bridges while maintaining traffic throughout the project area during construction. The new roadway would provide for a nominal 30 MPH design speed, however use of the steepened taper/ditch slopes within the roadway prism would require that a design variance be obtained for the project.

Alternative II – B (Bridge Reconstruction with Partial Road Closure): The base Alternative II would be constructed and the Option B bridge construction closure would be applied. Under this option, existing bridges located at mileposts 19.1 & 19.4 would be removed prior to the construction of the new bridges and the new roadway would be re-constructed to closely follow the existing highway alignment throughout the northernmost 0.6-mile reach of the project area. The roadway would be widened into the existing hillside in the area located between the two bridge crossings. The Option II-B alignment would return to the base alignment for Alternative II approximately 450-feet to the north of the second new bridge at milepost 19.5 By implementing a road closure within the northern 0.9-miles of the project area, permanent impacts adjacent to the roadway would be minimized. This approach would impact the traveling public by adding 60-miles of travel from the point of road closure to either Mora or Black Lake. Local traffic within the southernmost 1.5-miles of the project area would be maintained throughout the construction period, allowing continued access to the residents and businesses.

Retaining Wall Feature: The build alternatives also consider the option of constructing a retaining wall feature along the roadway alignment to reduce land/waterway impacts, slope cuts, and right-of-way acquisition need. The preferred alternative includes the addition of this feature.

Alternative E-2 (Sierra Bonita Alignment): This alternative proposed two 12-foot wide driving lanes and 4-foot wide shoulders. It would have used approximately 1.3 miles of existing roadway at the Sierra Bonita Loop and required approximately 3.1 miles of new roadway along the eastern canyon ridge. This alternative would extend beyond the current project area because the point at which the road would cross back into the current alignment is north of the current northern project terminus. It would impact two existing subdivisions and require the fill of a section of canyon at the Coyote Creek crossing to meet the existing canyon grade, as well as the construction of two new bridges and a relocation.

Alternative E-8 (Schollenbarger/Herrera Alignment): This alternative proposed to widen the existing NM 434 roadway for approximately 1.3 miles to provide two 11-foot wide lanes and 2-foot wide shoulders, then construct approximately 3.0 miles of new roadway with 12-foot wide lanes and 4-foot wide shoulders through undeveloped property at the eastern canyon ridge. This alternative would extend beyond the current project area because the point at which the road would cross back into the current alignment is north of the current northern project terminus. This alternative would require two new bridge crossings of Coyote Creek.

Figures for the preferred alternative (including proposed wetland impacts) and alternative II-B are attached. Figures for Alternatives I, E-2, and E-8 are not available. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

HISTORIC PROPERTIES: The FHWA is the lead federal agency for the project and is responsible for ensuring compliance with the National Historic Preservation Act (NHPA). As such, the FHWA/NMDOT have consulted with the New Mexico State Historic Preservation Officer (SHPO) regarding the findings of a previous cultural resource investigation and follow-up site-specific evaluations along the proposed project corridor. As a result of these investigations and subsequent consultations with the SHPO, it was determined that none of the identified historic properties would be adversely affected by the proposed project, with the exception of the archaeological site designated as Laboratory of Anthropology (LA) Number 139665. For that site, a Memorandum of Agreement to mitigate adverse effects to this historic property from the proposed project has been signed by the FHWA, NMDOT, and SHPO. As such, the proposed project is in compliance with the NHPA and Appendix C of 33 CFR Part 325.

ENDANGERED SPECIES: The FHWA is the lead federal agency for this project, and consulted with the U.S. Fish and Wildlife Service in conjunction with NMDOT for potential impacts to occupied suitable habitat for NMMJM. A Biological/Conference Opinion was issued to FHWA (and NMDOT) for the project on August 7, 2015.

FLOODPLAIN MANAGEMENT: The Corps is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

COMMENT SUBMITTAL AND DEADLINES: The Corps and SWQB are soliciting comments from all interested parties to consider and evaluate the impacts of this proposed activity. Any comments received will be considered to determine whether to issue, issue with special conditions, or deny a permit for this proposal.

Submittal of Corps Permit Application Comments: All comments regarding the Corps permit application for the above-described project must be received on or before **March 1, 2016** which is the close of the comment period. Comments on state Section 401 certification must be submitted as described below under "Water Quality Certification Comments". Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state the particular 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. Comments and requests for additional information on the Corps permitting action should be submitted to:

Deanna L. Cummings, Project Manager
US Army Corps of Engineers, Albuquerque District
4101 Jefferson Plaza NE
Albuquerque, NM 87109
E-mail: Deanna.L.Cummings@usace.army.mil

Submittal of Water Quality Certification Comments: Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps prior to permit issuance. For the above described project, the applicant is required to obtain water quality certification, under Section 401 of the CWA, from the SWQB.

This notice serves to notify the public that the SWQB will consider issuing a certification under Section 401 of the CWA. 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 SWQB website at: http://www.nmenv.state.nm.us/swqb/WQA/Notice/

SWQB 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:

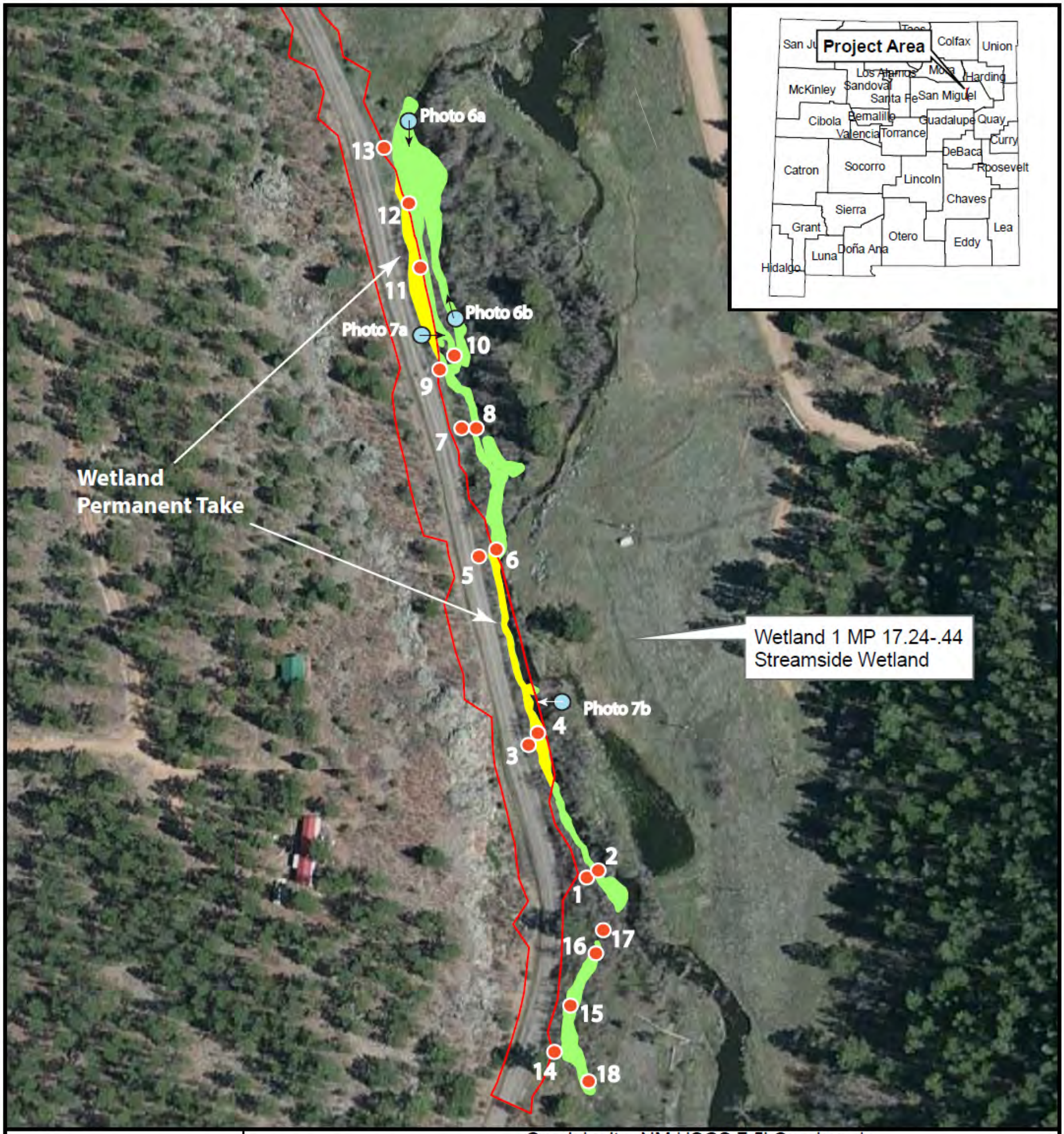
Neal Schaeffer
New Mexico Environment Department SWQB
P.O. Box 5469
Santa Fe, NM 87502-5469
505-476-3017
FAX 505-827-0160
E-mail: neal.schaeffer@state.nm.us

Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available through the Freedom of Information Act, the New Mexico Inspection of Public Records Act, or both.

DISTRICT ENGINEER
ALBUQUERQUE DISTRICT
CORPS OF ENGINEERS

BUREAU CHIEF
SURFACE WATER QUALITY BUREAU
NEW MEXICO ENVIRONMENT DEPT

Enclosures



MARRON and ASSOCIATES

Figure 5
Study Site Map for
Coyote Creek Streamside
Wetland
MP 17.24-17.44

- Milepost
- Project limits
- Wetland Not Taken
- Study Site
- Wetland Taken

Guadalupita, NM USGS 7.5' Quadrangle
Mora County, NM
Unplatted lands in
Mora Land Grant

N

1:1,750

0 105 210 420 Feet

0 37.5 75 150 Meters

NM 434 Wetland Determination and Delineation MP 17.24-19.66

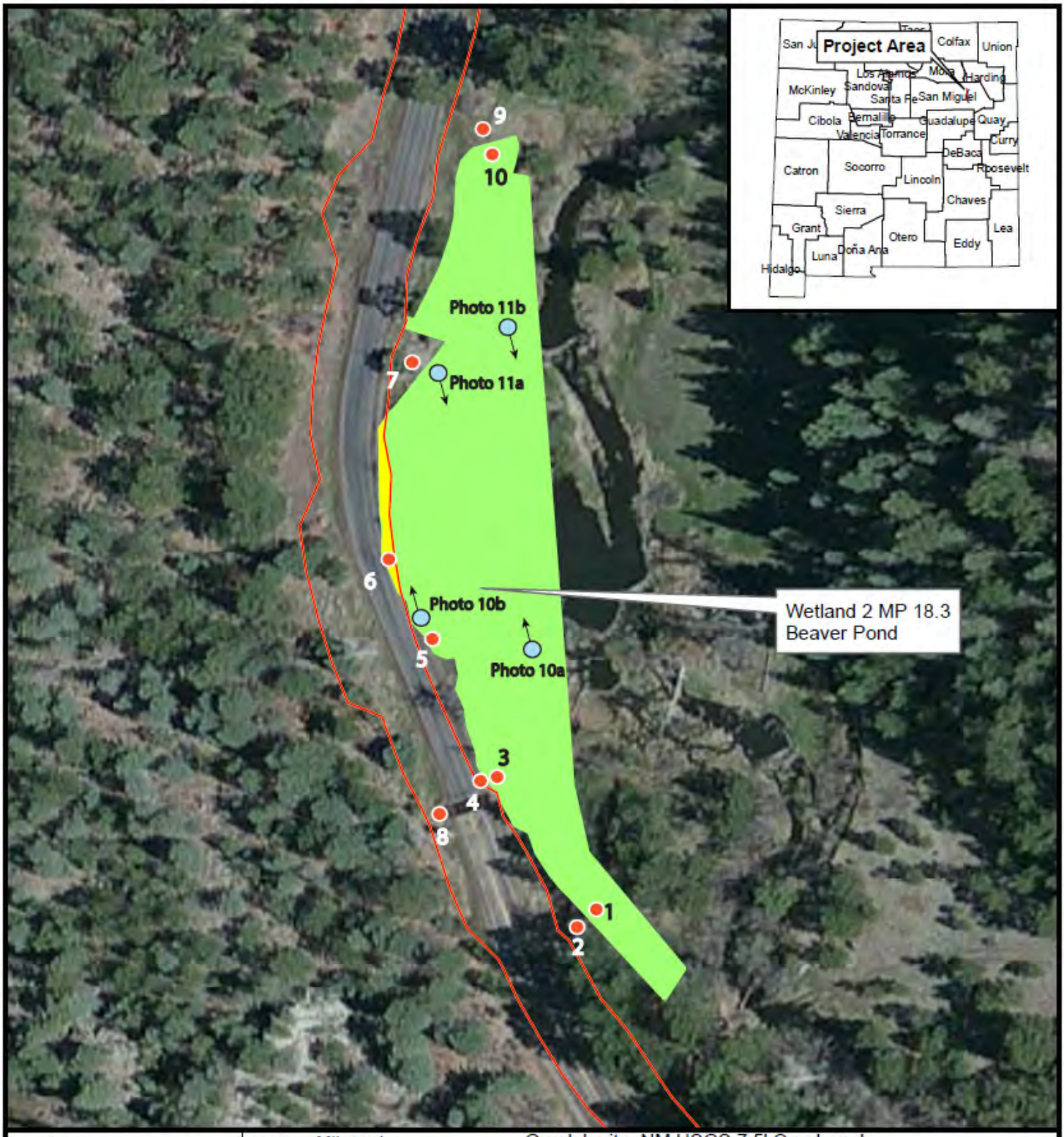
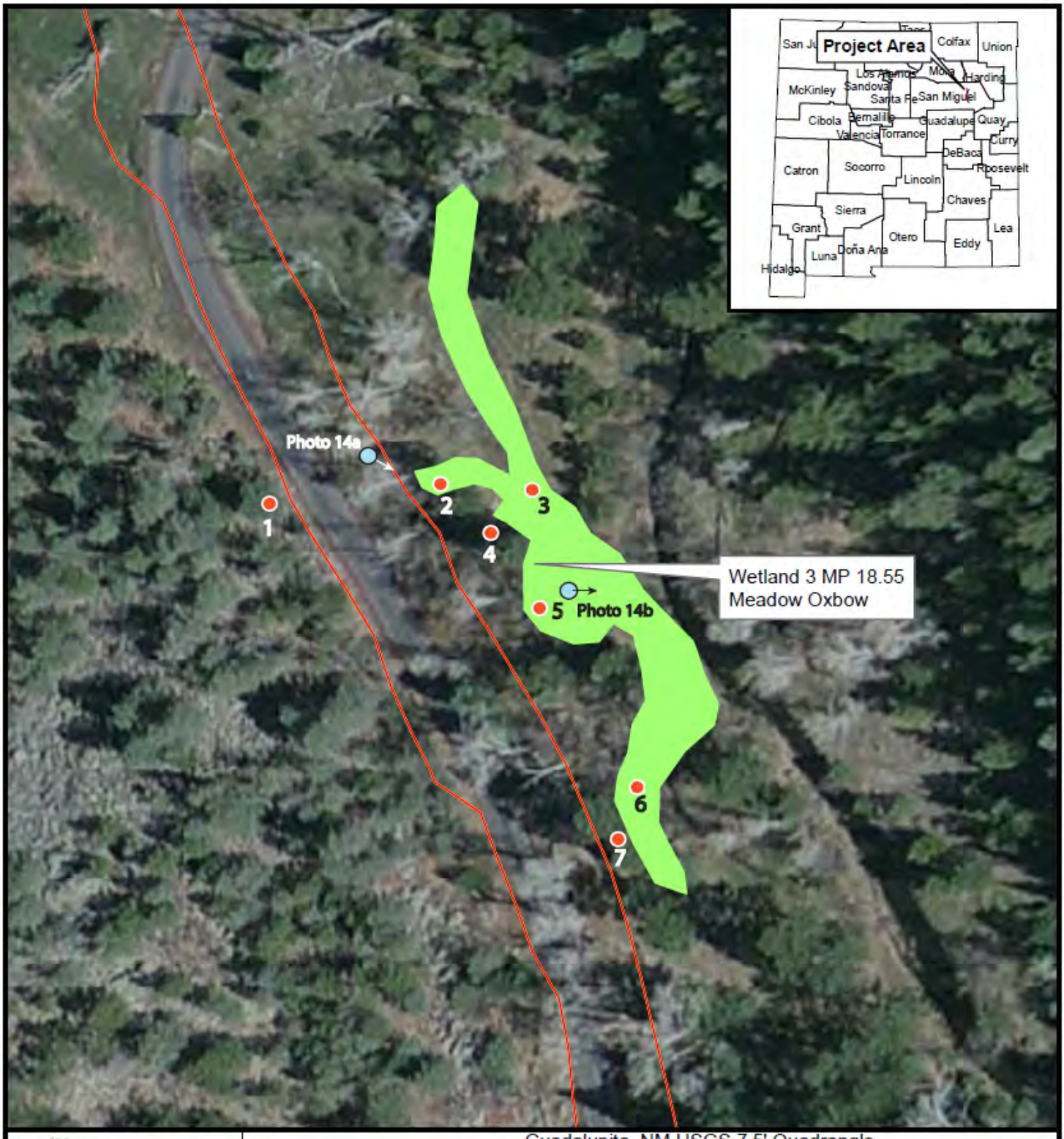


Figure 9
Study Site Map for
Beaver Pond Wetland

NM 434 Wetland Determination and Delineation MP 17.24-19.66



Guadalupita, NM USGS 7.5' Quadrangle
Mora County, NM
Unplatted lands in
Mora Land Grant

Milepost
Project limits
Meadow Oxbow Wetland
Study Sites
Wetland Taken

N

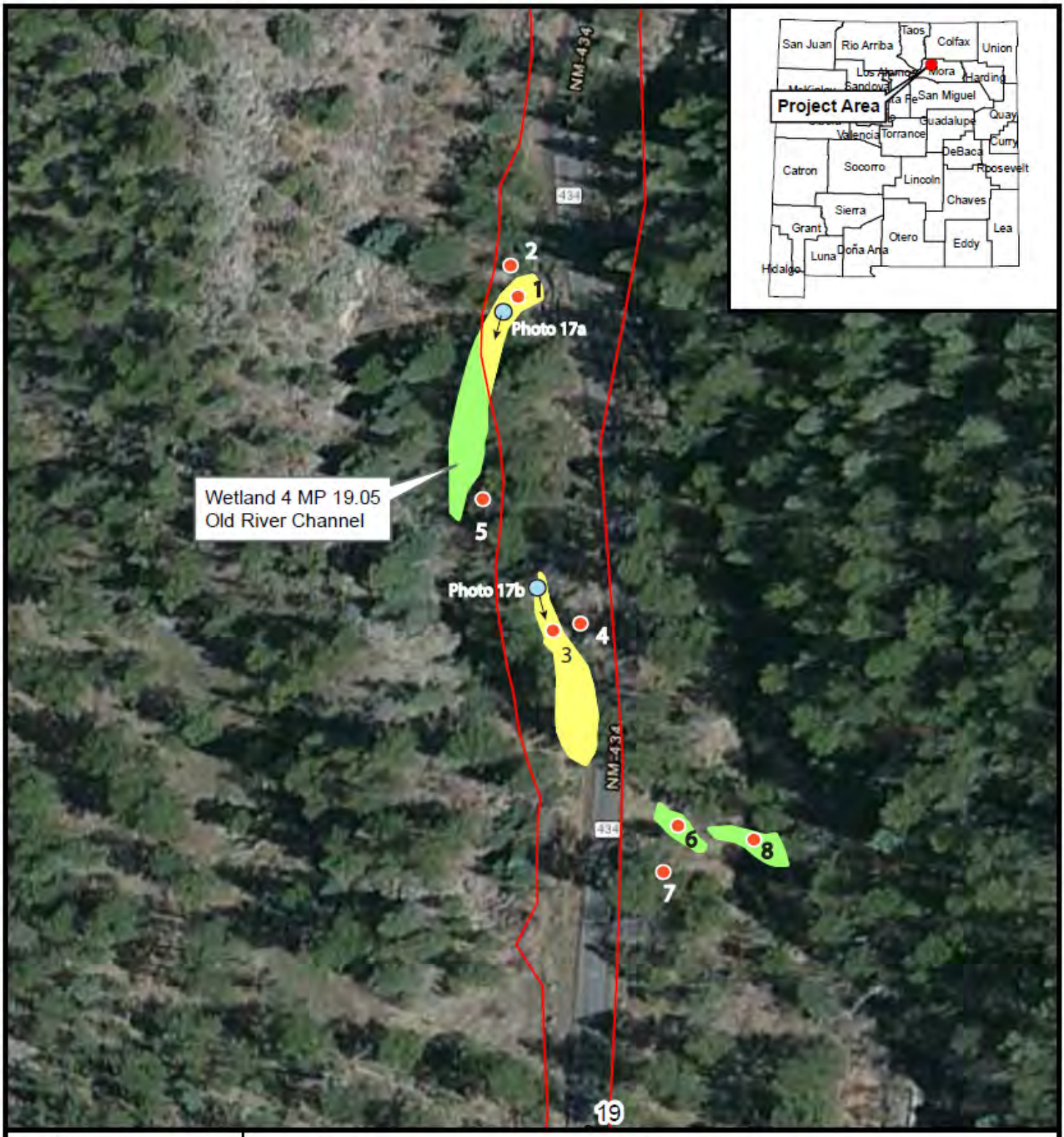
1:800

0 45 90 180 Feet

0 15 30 60 Meters

Figure 13
Study Site Map for
Meadow Oxbow Wetland

NM 434 Wetland Determination and Delineation MP 17.24-19.66



Milepost

Project limits

Old River Channel Wetland

Wetland 4 Take

Guadalupita, NM USGS 7.5' Quadrangle, Mora County, NM
Unplatted lands in Mora Land Grant

N

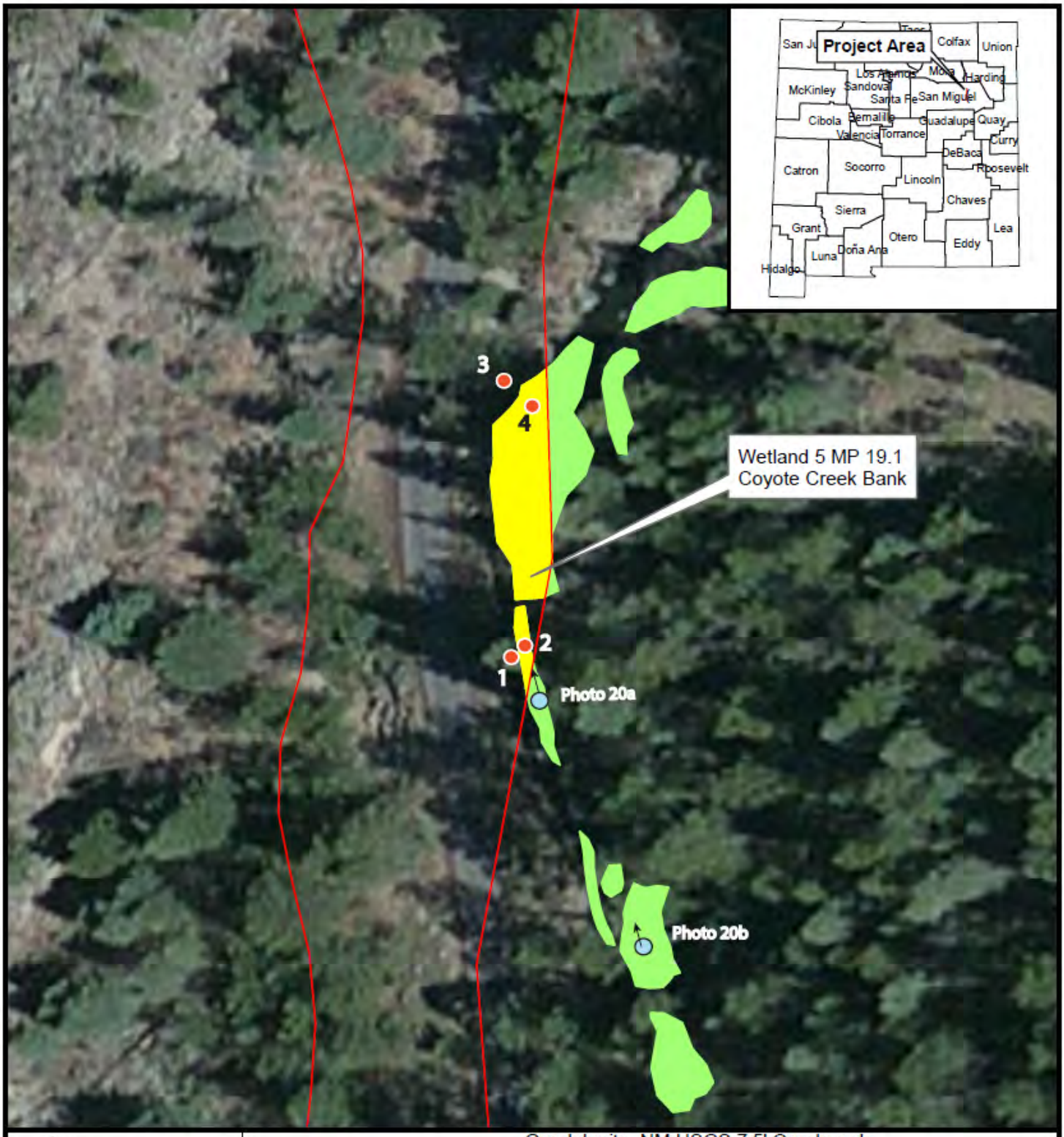
1:1,000

0 60 120 240 Feet

0 20 40 80 Meters

Figure 16
Study Site Map for Old River Channel Wetland
MP 19.05

NM 434 Wetland Determination and Delineation MP 17.24-19.66



Guadalupita, NM USGS 7.5' Quadrangle
Mora County, NM
Unplatted lands in
Mora Land Grant

- Milepost
- Project limits
- Wetland
- Wetland Take
- Study Sites

N

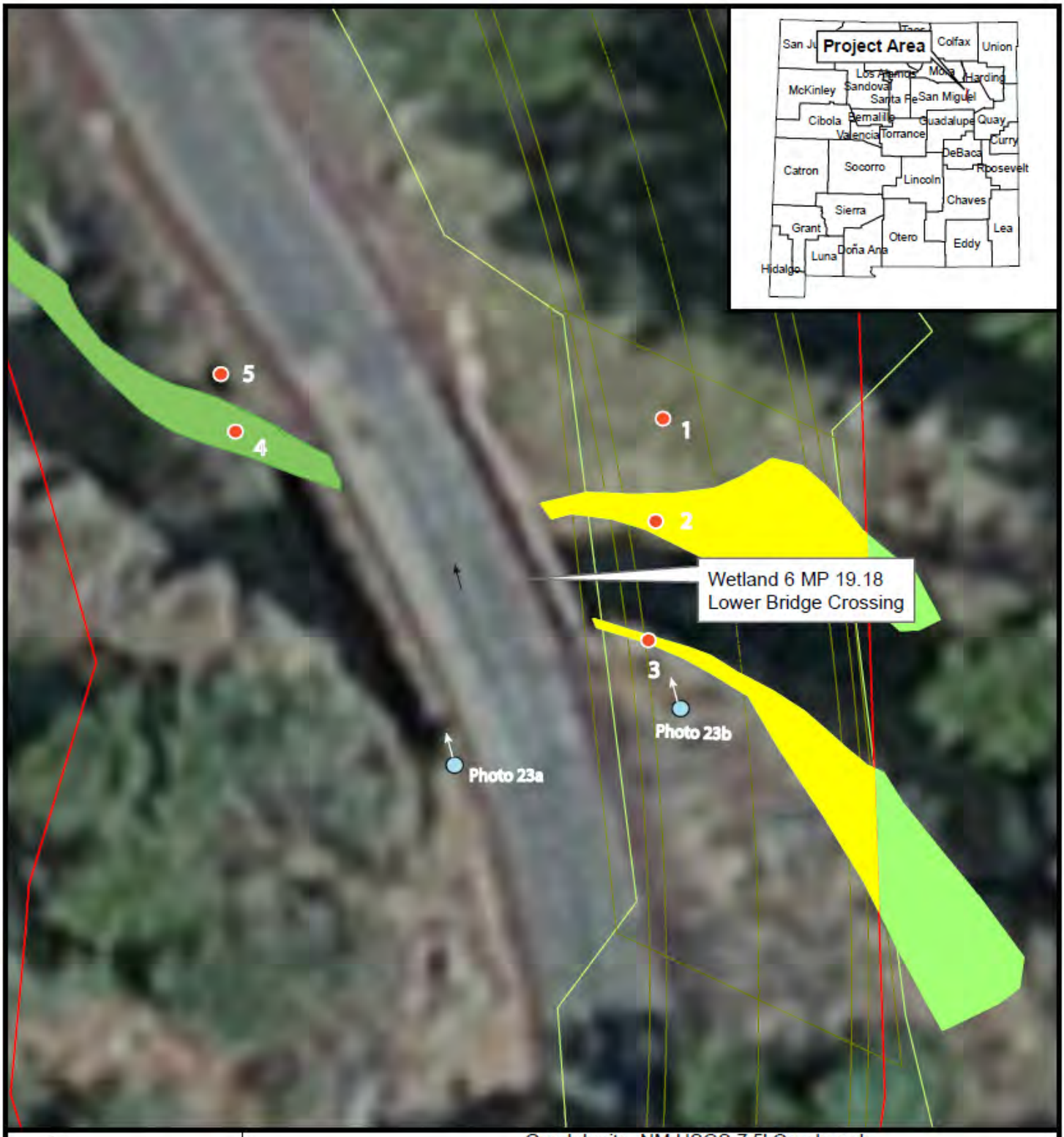
1:600

0 35 70 140 Feet

0 12.5 25 50 Meters

Figure 19
Study Site Map for
Stream Bank Wetland

NM 434 Wetland Determination and Delineation MP 17.24-19.66



MARRON and ASSOCIATES

Figure 23
Site Map for
Lower Bridge Wetland

- Milepost
- Project limits
- Wetland 6
- Wetland 6 Take
- Study Sites

Guadalupita, NM USGS 7.5' Quadrangle
Mora County, NM
Unplatted lands in
Mora Land Grant

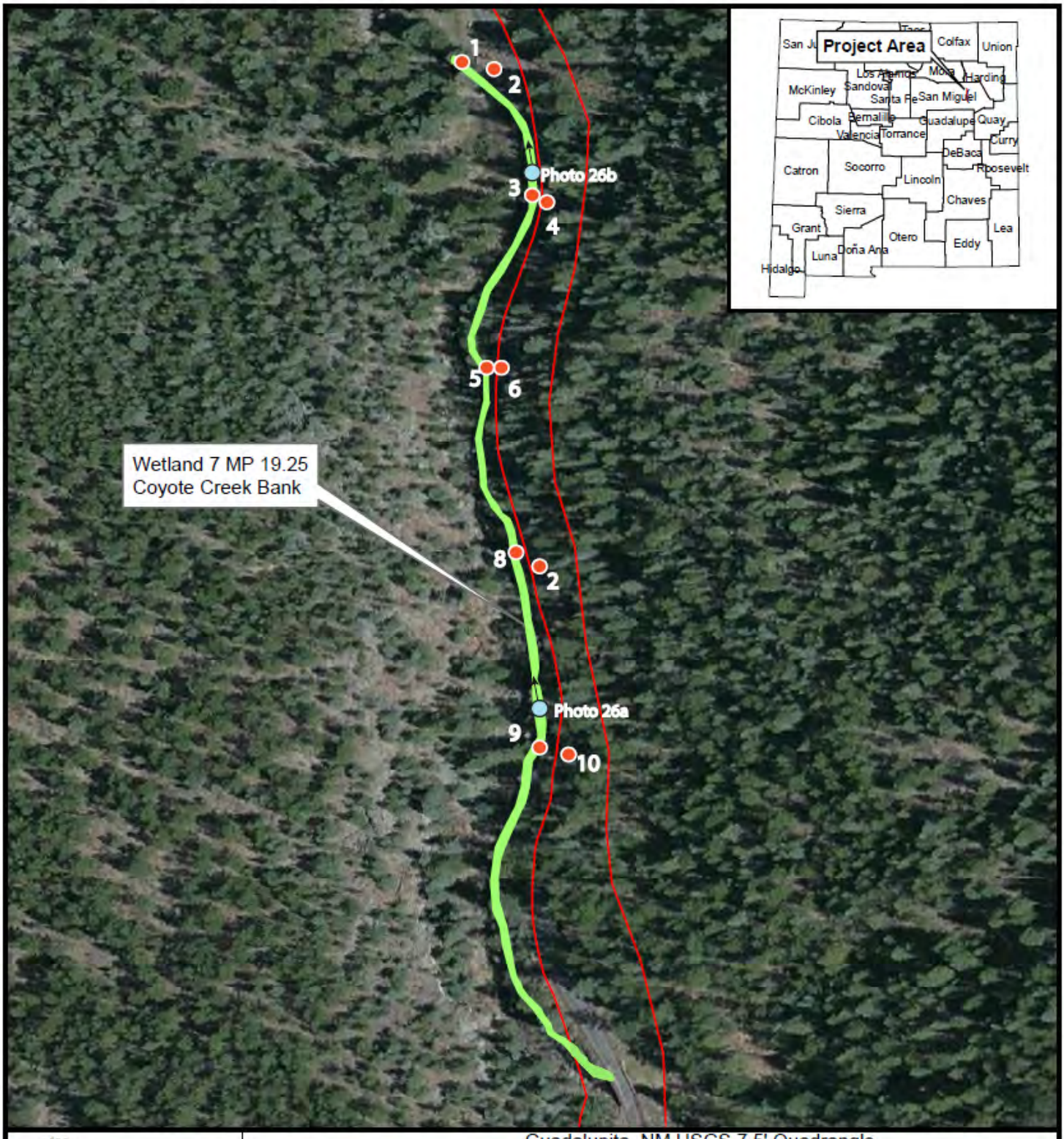
N

1:200

0 10 20 40 Feet

0 4.25 8.5 17 Meters

NM 434 Wetland Determination and Delineation MP 17.24-19.66



Guadalupita, NM USGS 7.5' Quadrangle
Mora County, NM
Unplatted lands in
Mora Land Grant

Milepost
Project limits
Wetland
Wetland Take
Study Site

N

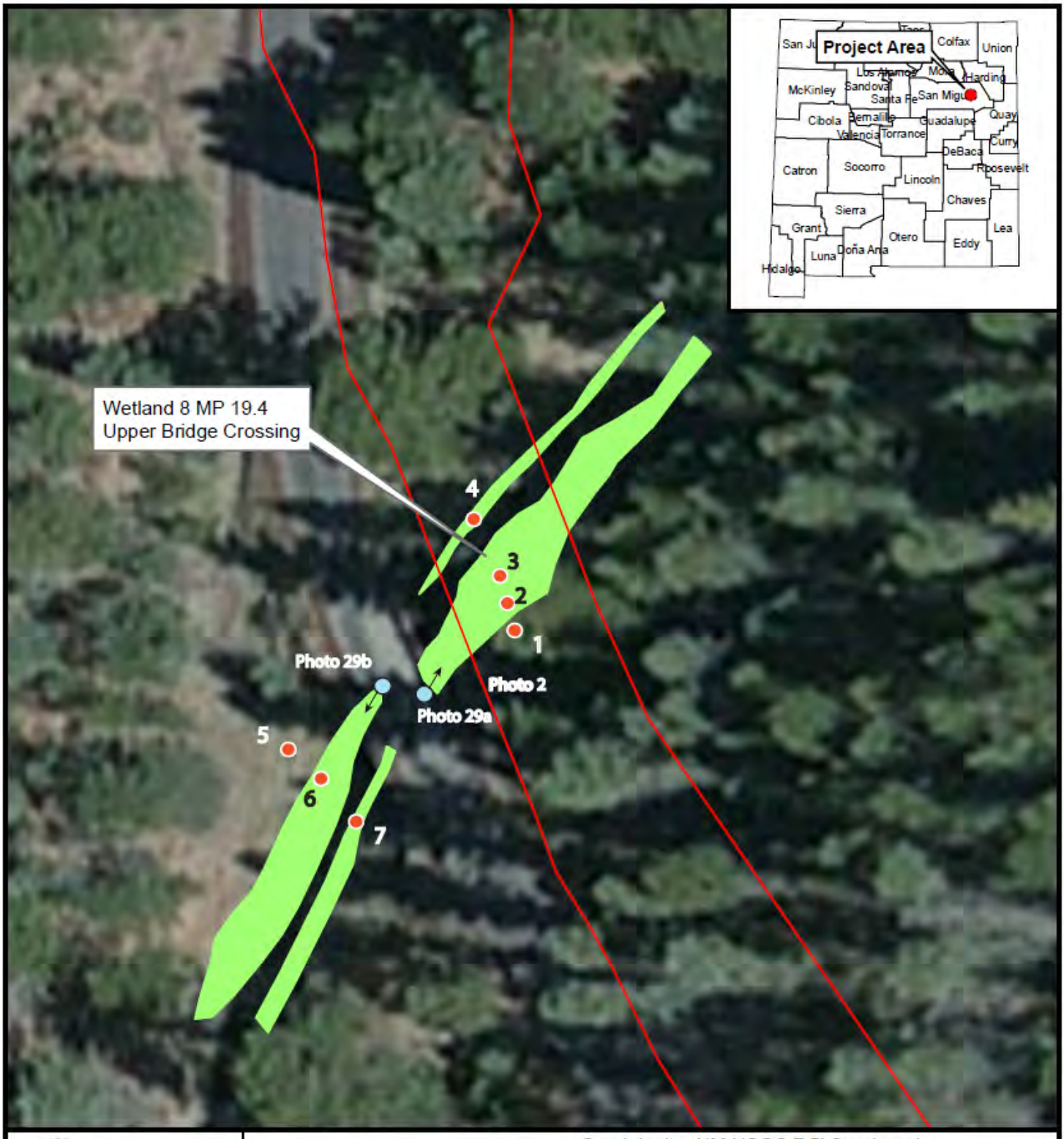
1:1,992

0 120 240 480 Feet

0 40 80 160 Meters

Figure 25
Site Map for
Coyote Creek Wetland
MP 19.25

NM 434 Wetland Determination and Delineation MP 17.24-19.66



Guadalupita, NM USGS 7.5' Quadrangle
Mora County, NM
Unplatted lands in
Mora Land Grant

Milepost
Project limits
Wetland 8

N

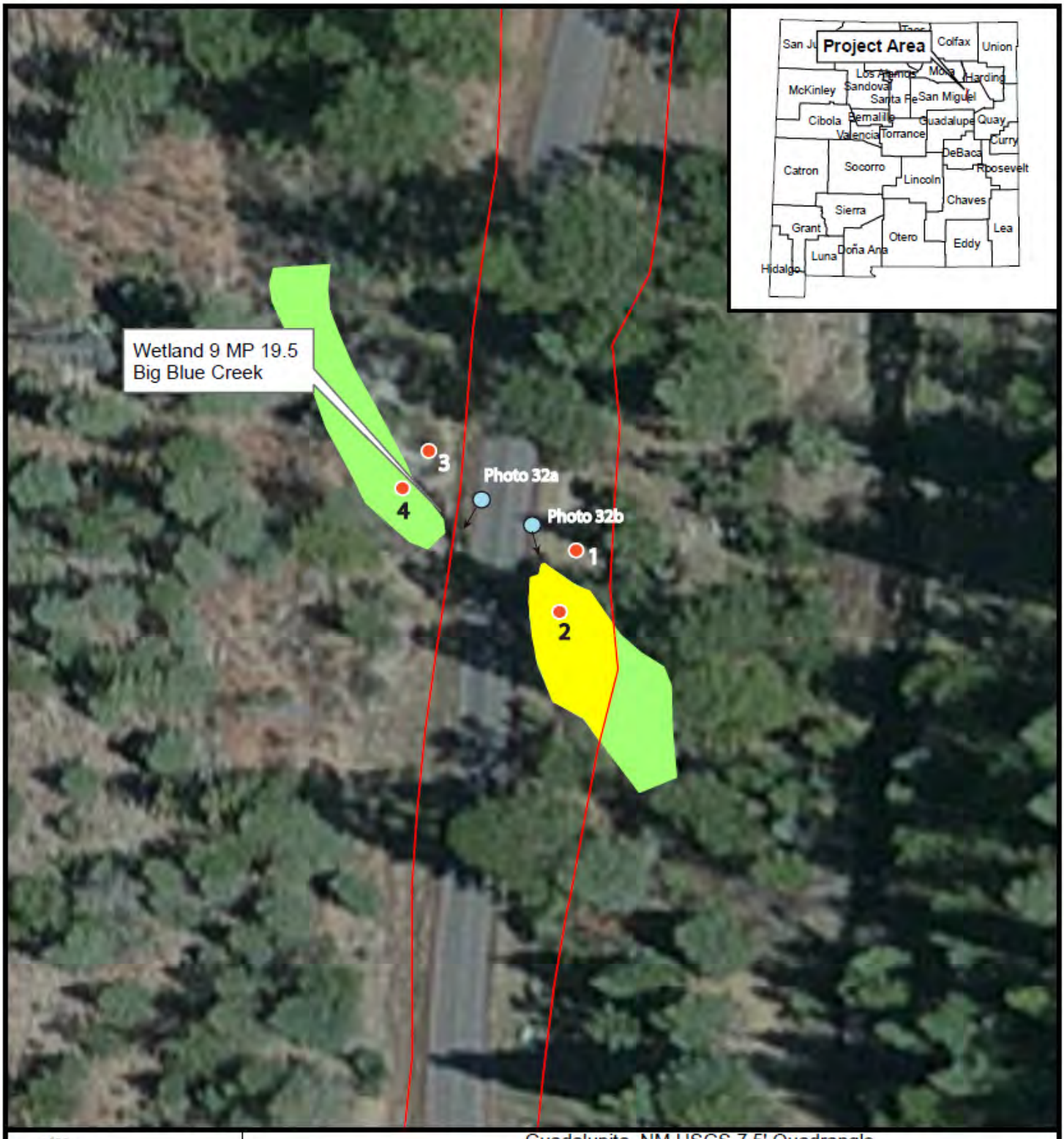
1:400

0 20 40 80 Feet

0 5 10 20 Meters

Figure 28
Site Map for
Upper Bridge Wetland
MP 19.4

NM 434



Guadalupita, NM USGS 7.5' Quadrangle
Mora County, NM
Unplatted lands in
Mora Land Grant

N

1:523

- Milepost
- Project limits
- Wetland Take
- Wetland
- Study Sites

0 30 60 120 Feet

0 10 20 40 Meters

Figure 31
Site Map for
Big Blue Creek Wetland
MP 19.5

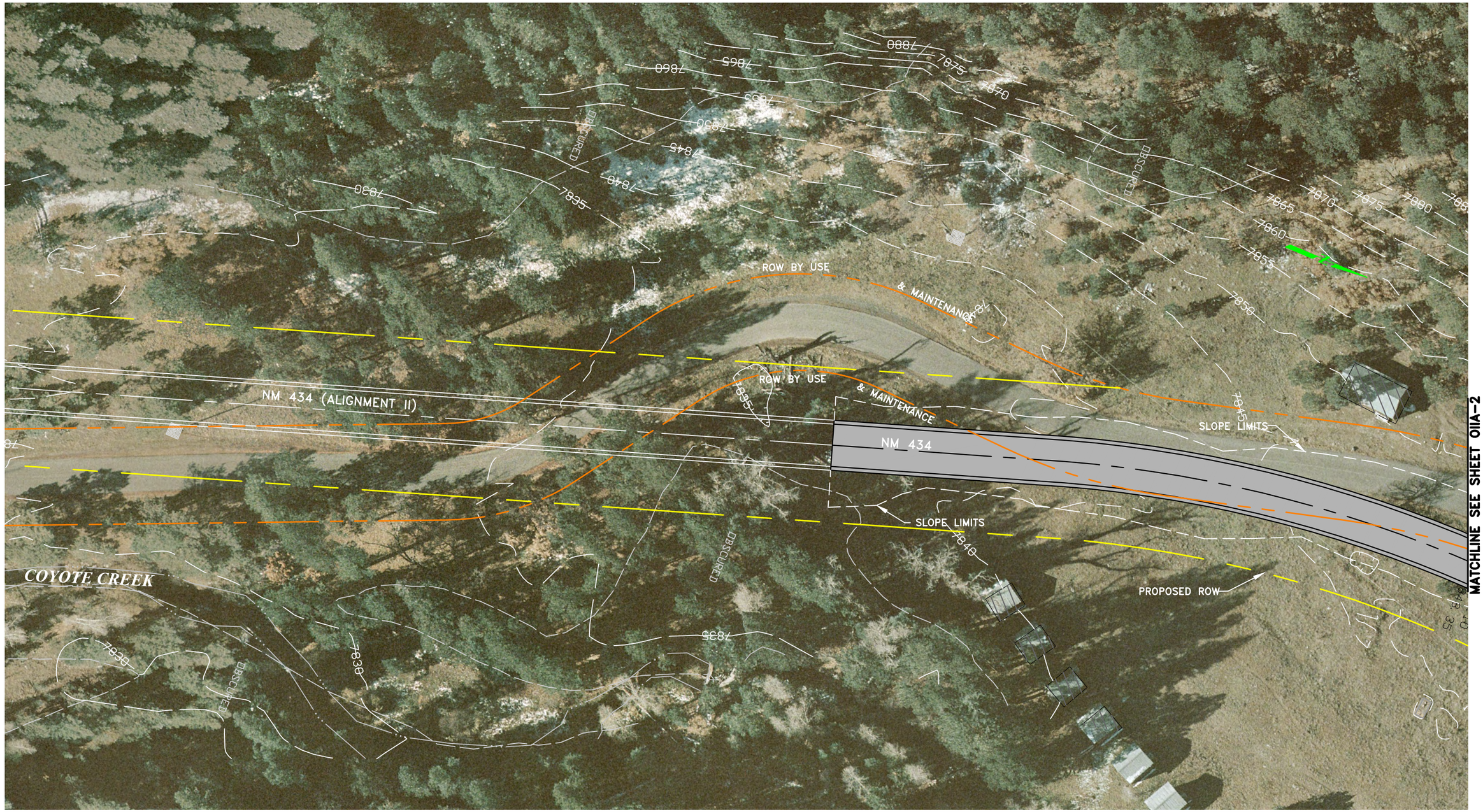
NM 434 Wetland Determination and Delineation MP 17.24-19.66

Site map showing location of the temporary detour and its outside slope limit at Big Blue Creek within Mora County, New Mexico.

PROJECT CONTROL NUMBER 4100380

RADIAN
Radian Engineering, LLC

DESIGNED BY: RADIAN ENGINEERING PHONE: (505) 984-1212 EMAIL: csilva@radianeng.com



GRAPHIC SCALE

50 0 25 50 100

(IN FEET)

1 inch = 50 ft.

NM 434 - 0.3 MILES SOUTH OF SIERRA BONITA CAMPGROUND TO BIG BLUE CREEK
OPT. II-A: E. BRIDGE CROSSING (BRIDGE 1)

DESIGNED BY: RADIAN ENGINEERING, LLC NEW MEXICO PROJECT NO.: 4100380 SHEET NO. OII-6

PRELIMINARY - NOT FOR CONSTRUCTION

File: S:\PROJECTS\11-012_NM 434 Coyote Creek Canyon (NMDOT)\Reports\Phase II\Drawings\ALT IIA.dwg Date: Feb 28, 2014 1:39pm

PROJECT CONTROL NUMBER 4100380

RADIAN
Radian Engineering, LLC

DESIGNED BY: RADIAN ENGINEERING PHONE: (505) 984-1212 EMAIL: csilva@radianeng.com

GRAPHIC SCALE

50 0 25 50 100

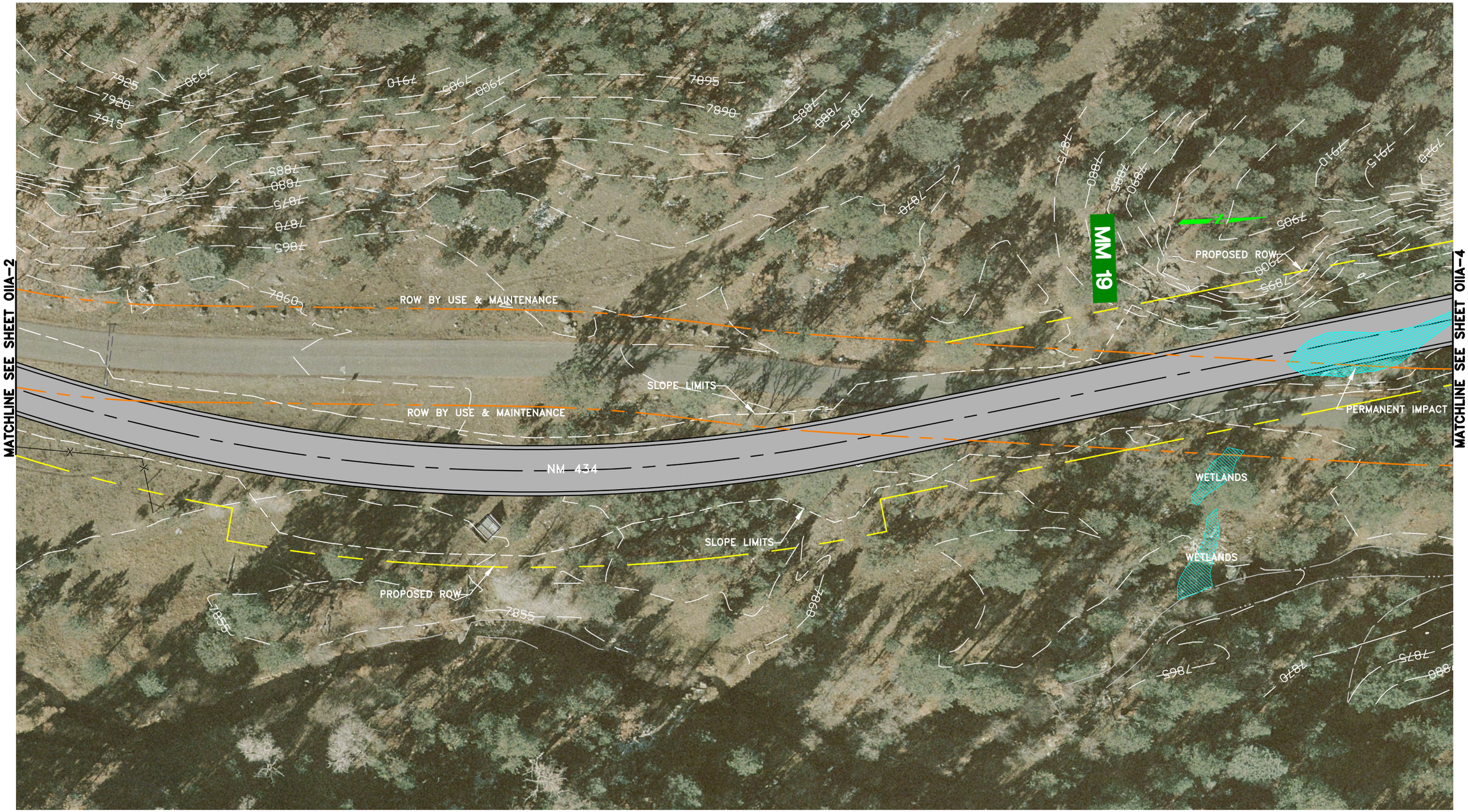
(IN FEET)
1 inch = 50 ft.

NM 434 - 0.3 MILES SOUTH OF SIERRA BONITA CAMPGROUND TO BIG BLUE CREEK
OPT. II-A: E. BRIDGE CROSSING (BRIDGE 1)

PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT CONTROL NUMBER 4100380

RADIAN
Radian Engineering, LLC



GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

NM 434 - 0.3 MILES SOUTH OF SIERRA BONITA CAMPGROUND TO BIG BLUE CREEK
OPT. II-A: E. BRIDGE CROSSING (BRIDGE 1)

DESIGNED BY: RADIAN ENGINEERING, LLC NEW MEXICO PROJECT NO.: 4100380 SHEET NO. OIIA-3

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGNED BY: RADIAN ENGINEERING PHONE: (505) 984-1212 EMAIL: csilva@radianeng.com

File: S:\PROJECTS\11-012_NM 434 Coyote Creek Canyon (NMDOT)\Reports\Phase B\Displays\ALT 1\A.dwg Date: Feb 28, 2014 1:38pm

PROJECT CONTROL NUMBER 4100380

RADIAN
Radian Engineering, LLC

DESIGNED BY: RADIAN ENGINEERING PHONE: (505) 984-1212 EMAIL: csilva@radianeng.com

MATCHLINE SEE SHEET OIIA-3

MATCHLINE SEE SHEET OIIA-5

TEMPORARY IMPACT
W4
WETLANDS
PERMANENT IMPACT
PROPOSED ROW
ROW BY USE & MAINTENANCE
PERMANENT IMPACT
ROW BY USE & MAINTENANCE
W5
COYOTE CREEK
WETLANDS
WETLANDS
WETLANDS
TEMPORARY IMPACT
WETLANDS
OBSCURED
NM 434
SLOPE LIMITS
MM 19.1
COYOTE CREEK
W6
OBSCURED
WETLANDS
WETLANDS
PERMANENT IMPACT
TEMPORARY IMPACT
SLOPE LIMITS
W5
COYOTE CREEK
BRIDGE CROSSING #1
PERMANENT IMPACT
TEMPORARY IMPACT
OPTIONAL RETAINING WALL
PROPOSED ROW W/ RETAINING WALL
SLOPE LIMITS W/O RETAINING WALL
OBSCURED
PROPOSED ROW W/O RETAINING WALL

GRAPHIC SCALE
50 0 25 50 100
(IN FEET)
1 inch = 50 ft.

NM 434 - 0.3 MILES SOUTH OF SIERRA BONITA CAMPGROUND TO BIG BLUE CREEK
OPT. II-A: E. BRIDGE CROSSING (BRIDGE 1)

PRELIMINARY - NOT FOR CONSTRUCTION

File: S:\PROJECTS\11-012_NM 434 Coyote Creek Canyon (NMDOT)\Reports\Phase II\Graphics\A4 T IIA.dwg, Date: Feb 28, 2014,1:38pm

DESIGNED BY: RADIAN ENGINEERING, LLC NEW MEXICO PROJECT NO.: 4100380 SHEET NO. OIIA-4

PROJECT CONTROL NUMBER 4100380

RADIAN
Radian Engineering, LLC

DESIGNED BY: RADIAN ENGINEERING PHONE: (505) 984-1212 EMAIL: csilva@radianeng.com

MATCHLINE SEE SHEET OIIA-4

SLOPE LIMITS

WETLANDS

W7

WETLANDS

ROW BY USE & MAINTENANCE

NM 434

ROW BY USE & MAINTENANCE

PROPOSED ROW W/ RETAINING WALL

OBSCURED

COYOTE CREEK

TEMPORARY IMPACT

NM 434 (ALIGNMENT II)

OPTIONAL RETAINING WALL

SLOPE LIMITS W/O RETAINING WALL

OBSCURED

PROPOSED ROW W/O RETAINING WALL

WETLANDS

W7

COYOTE CREEK

OBSCURED

GRAPHIC SCALE

50 0 25 50 100

(IN FEET)

1 inch = 50 ft.

NM 434 - 0.3 MILES SOUTH OF SIERRA BONITA CAMPGROUND TO BIG BLUE CREEK
OPT. II-A: E. BRIDGE CROSSING (BRIDGE 1)

PRELIMINARY - NOT FOR CONSTRUCTION

DESIGNED BY: RADIAN ENGINEERING, LLC NEW MEXICO PROJECT NO.: 4100380

SHEET NO. OIIA-5