

Appendix M



Animas Environmental Services, LLC

www.animasenvironmental.com

624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 17, 2012

Gary Torres
Farmington Field Office
Bureau of Land Management
6251 College Blvd. Suite A
Farmington, NM 87402

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Torres:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

The purpose of the proposed hazard mitigation project is to minimize the impacts of flooding to properties along Porter Arroyo in the northeastern portion of the City of Farmington. Past rain events have resulted in flash flooding, which can threaten lives, and in widespread damages to commercial businesses, residences, and public infrastructure. The Porter Arroyo Detention Facility is proposed for construction at the northeast corner of the intersection of Pinon Hills Boulevard and College Boulevard, directly west of Piedra Vista High School, and approximately 2.4 miles upstream along the Porter Arroyo from the Animas River. The proposed site for the detention facility is north of the residential and commercial properties that receive flood damages when a storm event occurs in this area.

The project includes the construction of an earthen berm to control the storm water flow rate of the Porter Arroyo. The detention facility will be designed to detain the runoff generated by a 100-year storm within the Porter Arroyo drainage system. Construction will include excavation and grading of the basin, construction and grading of the perimeter berm, construction of intake and outfall structures, installation of rip rap for stabilization and erosion control, and seeding and fencing of the detention area. Some minor relocations of existing gas lines may be required, and extensions of existing sanitary sewer lines are also part of the project. Additionally, a service road entering from College Boulevard will be constructed to provide access to the site.

Gary Torres
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 17, 2012

The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

Your prompt review and comments regarding this project would be greatly appreciated. If you have any questions or would like additional information, please do not hesitate to contact me at (505) 564-2281 or by email at emcnally@animasenvironmental.com.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth McNally". The signature is written in a cursive, flowing style.

Elizabeth McNally, P.E.
Animas Environmental Services, LLC

Attachment: Figure 1. Topographic Site Location Map
Figure 2. General Site Plan

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Animas Environmental Services, LLC

www.animasenvironmental.com

624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 8, 2012

Joe Delmagori, Planner
Farmington MPO
800 Municipal Drive
Farmington, New Mexico 87401

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Delmagori:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

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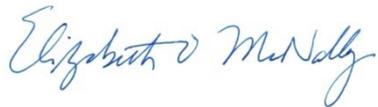
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*Joe Delmagori
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 8, 2012*

The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

Your prompt review and comments regarding this project would be greatly appreciated. If you have any questions or would like additional information, please do not hesitate to contact me at (505) 564-2281 or by email at emcnally@animasenvironmental.com.

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Elizabeth McNally, P.E.
Animas Environmental Services, LLC

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Animas Environmental Services, LLC

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624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 17, 2012

Jim Lane, Director
New Mexico Department of Game and Fish
Conservation Services Division
P.O. Box 25112
Santa Fe, New Mexico 87504

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Lane:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

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*Jim Lane NMDGF
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 17, 2012*

The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

On behalf of the City of Farmington, Ecosphere Environmental Services (Ecosphere) completed a biological assessment and associated report for the proposed project in May 2011. Ecosphere concluded that implementation of the proposed action is expected to have no adverse effects to any State of New Mexico or federally listed threatened, endangered, or candidate species. A copy of the Biological Assessment Report is available for your review upon request.

Your prompt review and comments regarding this project would be greatly appreciated. If you have any questions or would like additional information, please do not hesitate to contact me at (505) 564-2281 or by email at emcnally@animasenvironmental.com.

Sincerely,



Elizabeth McNally, P.E.
Animas Environmental Services, LLC

Attachment: Figure 1. Topographic Site Location Map
Figure 2. General Site Plan

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Animas Environmental Services, LLC

www.animasenvironmental.com

624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 8, 2012

Richard Goodyear, Chief
New Mexico Environment Department
Air Quality Bureau
1301 Siler Road, Building B
Santa Fe, New Mexico 87507

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Goodyear:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

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*Richard Goodyear NMED AQB
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 8, 2012*

The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

Your prompt review and comments regarding this project would be greatly appreciated. If you have any questions or would like additional information, please do not hesitate to contact me at (505) 564-2281 or by email at emcnally@animasenvironmental.com.

Sincerely,

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Elizabeth McNally, P.E.
Animas Environmental Services, LLC

Attachment: Figure 1. Topographic Site Location Map
Figure 2. General Site Plan

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Animas Environmental Services, LLC

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624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 17, 2012

Environmental Impact Review Coordinator
New Mexico Environment Department
P.O. Box 26110
Santa Fe, New Mexico 87502

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Environmental Impact Review Coordinator:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

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The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

Your prompt review and comments regarding this project would be greatly appreciated. If you have any questions or would like additional information, please do not hesitate to contact me at (505) 564-2281 or by email at emcnally@animasenvironmental.com.

Sincerely,



Elizabeth McNally, P.E.
Animas Environmental Services, LLC

Attachment: Figure 1. Topographic Site Location Map
Figure 2. General Site Plan

Cc:

James Hogan, Chief
New Mexico Environment Department
Surface Water Quality Bureau
P.O. Box 26110
Santa Fe, NM 87502

Jerry Schoeppner, Chief
New Mexico Environment Department
Ground Water Quality Bureau
P.O. Box 26110
Santa Fe, NM 87502

Margaret Ryan, Chief
New Mexico Environment Department
Drinking Water Bureau
525 Camina de Los Marquez, Suite #1
Santa Fe, NM 87505

*Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 17, 2012*

Auralie Ashley-Marx, Chief
New Mexico Environment Department
Solid Waste Bureau
P.O. Box 26110
Santa Fe, NM 87502

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Animas Environmental Services, LLC

www.animasenvironmental.com

624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 8, 2012

John Kieling, Chief
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Kieling:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

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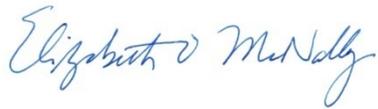
The project includes the construction of an earthen berm to control the storm water flow rate of the Porter Arroyo. The detention facility will be designed to detain the runoff generated by a 100-year storm within the Porter Arroyo drainage system. Construction will include excavation and grading of the basin, construction and grading of the perimeter berm, construction of intake and outfall structures, installation of rip rap for stabilization and erosion control, and seeding and fencing of the detention area. Some minor relocations of existing gas lines may be required, and extensions of existing sanitary sewer lines are also part of the project. Additionally, a service road entering from College Boulevard will be constructed to provide access to the site.

*John Kieling NMED-HWB
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 8, 2012*

The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

Your prompt review and comments regarding this project would be greatly appreciated. If you have any questions or would like additional information, please do not hesitate to contact me at (505) 564-2281 or by email at emcnally@animasenvironmental.com.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth McNally". The signature is written in a cursive, flowing style.

Elizabeth McNally, P.E.
Animas Environmental Services, LLC

Attachment: Figure 1. Topographic Site Location Map
Figure 2. General Site Plan

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Animas Environmental Services, LLC

www.animasenvironmental.com

624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 8, 2012

Blaine Watson
District V Supervisor
New Mexico Office of the State Engineer
100 Gossett Dr., Suite A
Aztec, New Mexico 87410

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Watson:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

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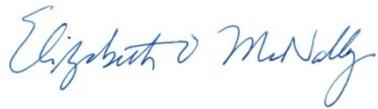
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*Blaine Watson NMOSE
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 8, 2012*

The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

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Elizabeth McNally, P.E.
Animas Environmental Services, LLC

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Animas Environmental Services, LLC

www.animasenvironmental.com

624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 8, 2012

Scott A. Verhines
State Engineer
New Mexico Office of the State Engineer
P.O. Box 25102
Santa Fe, New Mexico 87504-5102

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Verhines:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

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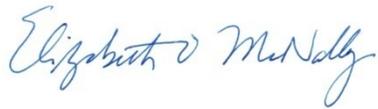
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Scott Verhines NMOSE
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 8, 2012

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Elizabeth McNally, P.E.
Animas Environmental Services, LLC

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Animas Environmental Services, LLC

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624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 8, 2012

Michelle Truby-Tillen, CFM
San Juan County Office of Emergency Management
209 S. Oliver Drive
Aztec, New Mexico 87410

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Ms. Truby-Tillen:

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*Michelle Truby-Tillen
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 8, 2012*

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Animas Environmental Services, LLC

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Animas Environmental Services, LLC

www.animasenvironmental.com

624 E. Comanche
Farmington, NM 87401
505-564-2281

Durango, Colorado
970-403-3274

August 8, 2012

J. Xavier Montoya, State Conservationist
U.S. Department of Agriculture
Natural Resources Conservation Service
New Mexico State Office
6200 Jefferson, NE
Albuquerque, New Mexico 87109-4462

**RE: Project Comment Request – FEMA Hazard Mitigation Grant Program
City of Farmington, San Juan County, New Mexico
Porter Arroyo Storm Water Detention Facility
Coordinates: N36.77877, W108.16336**

Dear Mr. Montoya:

Animas Environmental Services, LLC (AES) on behalf of the City of Farmington is seeking project comments for the proposed Porter Arroyo Storm Water Detention Facility. The City of Farmington is requesting funding from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico.

The purpose of the proposed hazard mitigation project is to minimize the impacts of flooding to properties along Porter Arroyo in the northeastern portion of the City of Farmington. Past rain events have resulted in flash flooding, which can threaten lives, and in widespread damages to commercial businesses, residences, and public infrastructure. The Porter Arroyo Detention Facility is proposed for construction at the northeast corner of the intersection of Pinon Hills Boulevard and College Boulevard, directly west of Piedra Vista High School, and approximately 2.4 miles upstream along the Porter Arroyo from the Animas River. The proposed site for the detention facility is north of the residential and commercial properties that receive flood damages when a storm event occurs in this area.

The project includes the construction of an earthen berm to control the storm water flow rate of the Porter Arroyo. The detention facility will be designed to detain the runoff generated by a 100-year storm within the Porter Arroyo drainage system. Construction will include excavation and grading of the basin, construction and grading of the perimeter berm, construction of intake and outfall structures, installation of rip rap for stabilization and erosion control, and seeding and fencing of the detention area. Some minor relocations of existing gas lines may be required, and extensions of existing sanitary sewer lines are also part of the project. Additionally, a service road entering from College Boulevard will be constructed to provide access to the site.

*J. Xavier Montoya USDA NRCS
Proposed City of Farmington
Porter Arroyo Storm Water Detention Facility
August 8, 2012*

The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site. A topographic site location map is included as Figure 1, and general site plan of the proposed facility is included as Figure 2.

Your prompt review and comments regarding this project would be greatly appreciated. If you have any questions or would like additional information, please do not hesitate to contact me at (505) 564-2281 or by email at emcnally@animasenvironmental.com.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth McNally". The signature is written in a cursive style.

Elizabeth McNally, P.E.
Animas Environmental Services, LLC

Attachment: Figure 1. Topographic Site Location Map
Figure 2. General Site Plan

C:\Documents and Settings\beth\City of Farmington\Porter Arroyo MASTER FILE\Agency Consultation\agency consultation USDA NRCS 080712.docx

Agency Coordination Tracking Table
City of Farmington Porter Arroyo Project
Environmental Assessment - FEMA
Farmington, San Juan County, New Mexico

Agency/Organization	Date Sent	Date Reply Received	Date of Follow-Up	Comments
Local Contacts:				
San Juan County EM/Floodplain Manager	08/08/12	08/10/12	NA	Via email from Michele Truby-Tillen. Out of area of jurisdiction - no comment regarding project.
Farmington Municipal Planning Organization	08/08/12	08/16/12	NA	Via email from Joe Delmagori, MPO Planner. MPO has no project comments.
State Contacts:				
NM Game and Fish	08/17/12	09/13/12	NA	1. Divert water around construction site; 2. Preserve natural areas; 3. Revegetate post construction area; 4. Maintain vegetated buffer zone around water courses, including ephemeral arroyos; 5. Use properly engineered drainage swales and vegetated channel systems; 6. Minimize impacts to vegetation during construction.
NM Office of the State Engineer-Santa Fe	08/08/12	--	NA	Response deferred to Aztec Office
NM Office of the State Engineer-Aztec	08/08/12	08/13/12	Chico Quintana, City of Farmington	Via email from Blaine Watson, District V Manager. 2 potential issues identified: dam safety and design retention time greater than 96 hours. If retention time is >96 hours, then OSE permit required. Dam safety issues permitted through SF office. <i>Neither issue is present per City of Farmington Project Engineer, Chico Quintana.</i>
NM State Historic Preservation Office	06/19/12	7/26/2012	NA	No Historic Properties Affected
NMED Hazardous Waste Bureau	08/08/12	--	NA	No Response
NMED Air Quality	08/08/12	09/13/12	NA	See correspondence from NMED Environmental Impact Coord.
NMED Environmental Impact Coordinator	08/17/12	09/13/12	NA	SWQB: Obtain coverage for Construction General Permit for both owner and operator; AQB: If air permits needed, apply for permits through NMED; GWQB: Follow notification requirements 20.6.2.1203 NMAC in the event of an accidental release.
Federal Contacts:				
USDI - BLM (Note: Agency headquarters located upgradient, and BLM administers public lands in immediate vicinity)	08/17/12	08/24/12	1/23/2013	Amand Nisula NEPA Coordinator requested shape files of proposed project and inspection/maintenance procedures

Agency Coordination Tracking Table
City of Farmington Porter Arroyo Project
Environmental Assessment - FEMA
Farmington, San Juan County, New Mexico

Agency/Organization	Date Sent	Date Reply Received	Date of Follow-Up	Comments
USACE - Durango Field Office	06/06/11	--		Initial consultation/ USACE in 2011; 7/12/11 Pre-construction notice filed for NWP-43
USEPA Source Water Protection Branch/GW Section		--	NA	USEPA Envirofacts database search performed 1/22/13
USEPA Region 6 Environmental Justice		--	NA	EJ Mapper 1/22/13
USDA Natural Resources Conservation Service	08/08/12	--	NA	NRCS Mapper 1/22/13
Tribal Contacts: (per HPD List 03/11) - Consultation by FEMA				
Acoma Pueblo	08/13/12	--	NA	No Response

Agency Coordination Tracking Table
 City of Farmington Porter Arroyo Project
 Environmental Assessment - FEMA
 Farmington, San Juan County, New Mexico

Agency/Organization	Date Sent	Date Reply Received	Date of Follow-Up	Comments
Hopi Tribe	08/13/12	8/22/2012	NA	No significant impact anticipated. If sites or cultural items are encountered, please notify so that a review can be scheduled.
Laguna Pueblo	08/13/12	8/31/2012	NA	No significant impact anticipated. If sites or cultural items are encountered, please notify so that a review can be scheduled.
Kiowa Tribe	08/13/12	--	NA	No Response
Navajo Nation	08/13/12	--		No Response
Ohkay Owingeh (San Juan) Pueblo	08/13/12	--		No Response
Southern Ute Tribe	08/13/12	--		No Response
Tesuque Pueblo	08/13/12	--		No Response

From: Nisula, Amanda L <anisula@blm.gov>
Sent: Friday, August 24, 2012 9:35 AM
To: emcnally@animasenvironmental.com
Cc: Wirth, Dale L
Subject: Porter Arroyo Storm Water Detention Facility

Hi Elizabeth,

We received your letter concerning the proposed Porter Arroyo Storm Water Detention Facility. Would it be possible to get either a more detailed map or GIS layers for the project? We're having a hard time identifying many of the legend symbols and their locations (e.g., chain link fence, culverts, clay stockpile, rip rap).

Also, do you know how often the project would be inspected and the maintenance schedule?

Thanks,

Amanda Nisula
Planning & Environmental Coordinator
Farmington Field Office
505-564-7637
anisula@blm.gov

No virus found in this message.

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June 19, 2012

Jan V. Biella
Acting State Historic Preservation Officer
Attention Bob Estes, Archaeologist
Department of Cultural Affairs
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, NM 87501

RE: Section 106 Review Consultation, FEMA-Hazard Mitigation Grant Program
City of Farmington, New Mexico
Porter Arroyo Detention Facility
Coordinates: N36.77877 W108.16336

Dear Ms. Biella:

The City of Farmington is requesting funding from the FEMA Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico. FEMA is initiating Section 106 review for the above referenced property.

The purpose of the proposed hazard mitigation project is to minimize the impacts of flooding to properties along Porter Arroyo in the northeastern portion of the City of Farmington. Past rain events have resulted in flash flooding, which can threaten lives, and in widespread damages to commercial businesses, residences, and public infrastructure. The Porter Arroyo Detention Facility is proposed for construction at the northeast corner of the intersection of Pinon Hills Boulevard and College Boulevard, directly west of Piedra Vista High School, and approximately 2.4 miles upstream along the Porter Arroyo from the Animas River. This proposed site for the detention facility is north of the residential and commercial properties that receive flood damages when a storm event occurs in this area. The project includes the construction of an earthen berm to control the storm water flow rate of the Porter Arroyo. The detention facility will be designed to detain the runoff generated by a 100-year storm within the Porter Arroyo drainage system. Construction will include excavation and grading of the basin, construction and grading of the perimeter berm, construction of intake and outfall structures, installation of rip rap for stabilization and erosion control, and seeding and fencing of the detention area. Some minor relocations of existing gas lines may be required, and extensions of existing sanitary sewer lines are also part of the project. Additionally, a service road entering from College Boulevard will be constructed to provide access to the site. The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site.

Jan V. Biella
June 19, 2012
Page 2

A cultural records file search in the Archaeological Records Management Section (ARMS) of the New Mexico State Historic Preservation Division (HPD) through the New Mexico Department of Cultural Affairs, New Mexico State Historic Preservation Office (SHPO), was conducted for known archaeological sites. A review of the archeological data in ARMS indicates that the Area of Potential Effect was surveyed for archaeology by Western Cultural Resource Management, Inc., in 1996, and there are no sites located on, or directly adjacent to the project area, and after testing, no further archaeology was recommended for the closest site to the project area, LA 113650. Therefore, based on information gathered through this review process, FEMA has determined that **No Historic Properties Affected** as a result of the proposed undertaking. We request concurrence with this determination.

Your prompt review of this project is greatly appreciated. Should you need additional information please contact Dorothy Weir, FEMA EHP, at (940) 383-7250.

Sincerely,

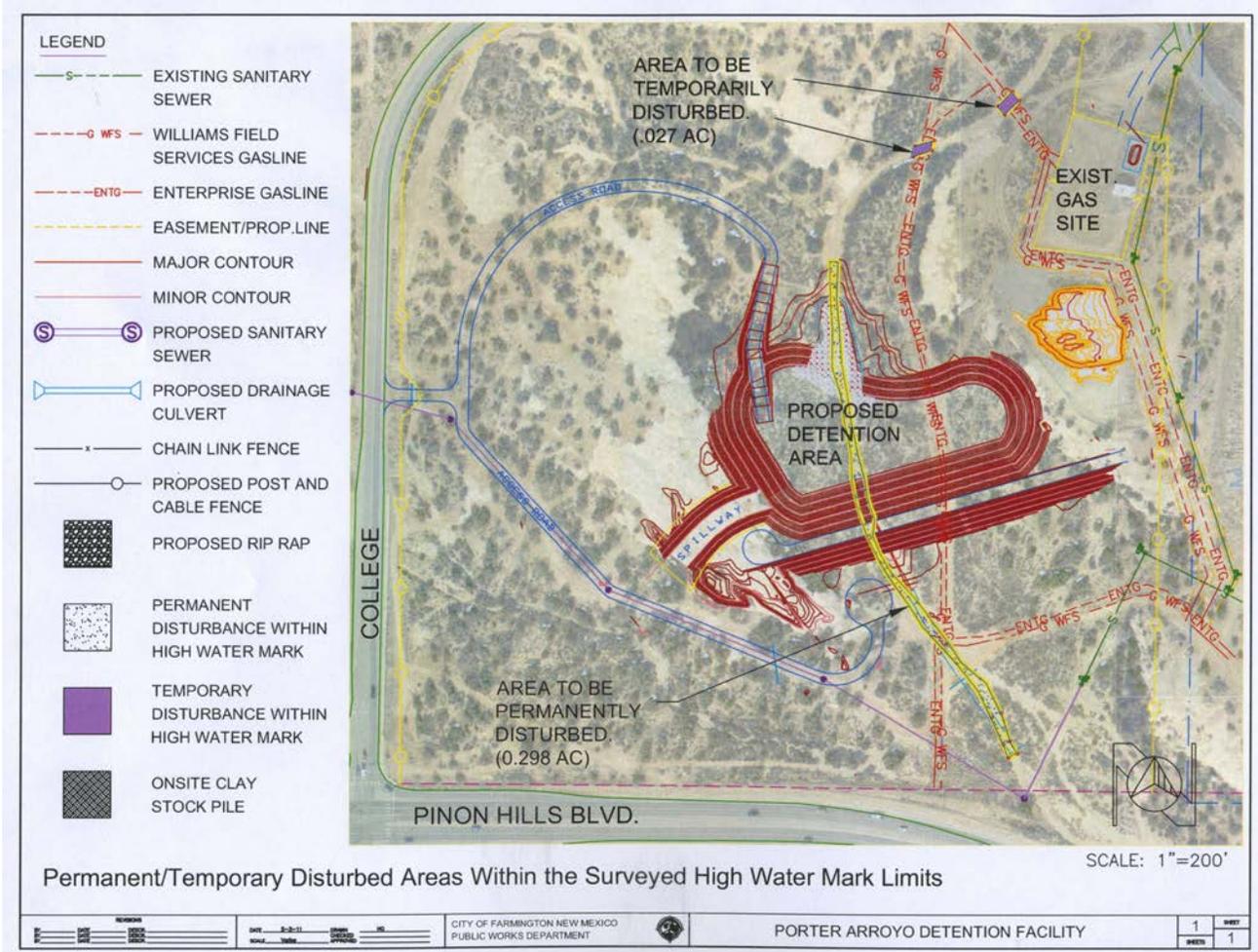
Leah Anderson
Deputy Regional Environmental Officer
Region VI

Enclosures

Aerial Map and APE of Location
NM ARMS Map
Cultural Resources Letter

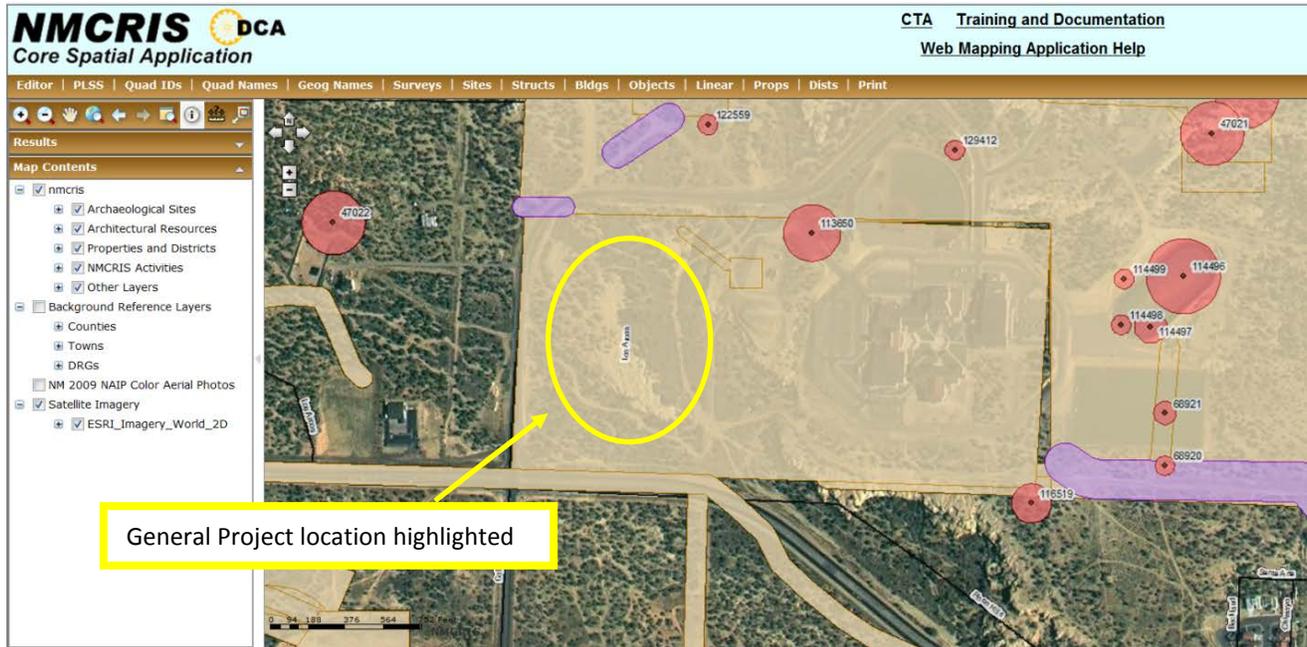
U.S. Department of Homeland Security
 Federal Emergency Management Agency
 Section 106 Review: Aerial View Location Map and APE

Resource Name: Porter Arroyo
Resource Address: City of Farmington
Resource Coordinates: N36.77877 W108.16336



U.S. Department of Homeland Security
Federal Emergency Management Agency
Section 106 Review: New Mexico ARMS Map

Resource Name: Porter Arroyo
Resource Address: City of Farmington
Resource Coordinates: N36.77877 W108.16336



From: Delmagori, Joe <jdelmagori@fmtn.org>
Sent: Thursday, August 16, 2012 3:25 PM
To: emcnally@animasenvironmental.com
Subject: Porter Arroyo

Elizabeth -

In response to the FEMA grant for the Porter Arroyo, the Farmington MPO has no comments.

Thank you

Joe Delmagori
Farmington MPO

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Version: 2012.0.2196 / Virus Database: 2437/5201 - Release Date: 08/14/12

GOVERNOR
Susana Martinez



DIRECTOR AND SECRETARY
TO THE COMMISSION
James S. Lane, Jr.

Daniel E. Brooks, Deputy Director

STATE OF NEW MEXICO
DEPARTMENT OF GAME & FISH

One Wildlife Way
Santa Fe, NM 87507
Post Office Box 25112
Santa Fe, NM 87504
Phone: (505) 476-8008
Fax: (505) 476-8124

Visit our website at www.wildlife.state.nm.us
For information call: (888) 248-6866
To order free publications call: (800) 862-9310

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Albuquerque, NM
BILL MONTOYA
Alto, NM

September 13, 2012

Elizabeth McNally, P.E.
Animas Environmental Services, LLC
624 E. Comanche
Farmington, NM 87401

Project Comment Request – FEMA Hazard Mitigation Grant Program, City of Farmington, San Juan County, New Mexico, Porter Arroyo Storm Water Detention Facility; NMDGF Doc. No. 15268

Dear Ms. McNally:

The Department of Game and Fish (Department) has reviewed your request for information regarding the above-referenced project and provides the following information for the development of your Storm Water Pollution Prevention Plan.

Construction areas and other impervious surfaces can have significant impacts on surface waters by increasing the amount of sediment and other pollutants that are washed into surface waters, increasing the velocity and volume of water, and reducing infiltration into groundwater. Reducing the amount of impervious surfaces and phasing construction will reduce these impacts. The Department provides the following additional recommendations to minimize or eliminate impacts to wildlife and wildlife habitat:

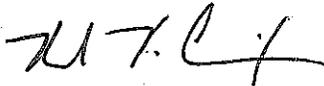
- Divert water around construction site whenever possible.
- Preserve natural areas within the project site. Strive to maintain the natural drainage system of the site, including natural stream channels, wetlands, and floodplains. Design, construct, and maintain the site to protect (or restore) the natural hydrology.
- Following construction, disturbed areas should be re-vegetated using native species that approximate pre-disturbance plant community composition or native plant communities likely to be found in the area, whichever is more beneficial to wildlife. Short-term erosion control seed mixes are available for temporary control of surface erosion during project implementation; native mixes should be used for temporary as well as permanent erosion control. Native plants and materials should also be used for landscaping. All seed mixtures should be certified as weed-free. New Mexico grass ecotypes for commercial seeding are available through the Los Lunas Plant Materials Center and New Mexico State University. Seeding guidelines are available from NRCS and the Colorado Natural Areas Program.

- Maintain a vegetated buffer zone along all watercourses, including ephemeral arroyos, sufficient to minimize erosion and sediment delivery.
- Use properly engineered drainage swales and other vegetated channel systems instead of storm sewers, lined channels, curbs, and gutters. Vegetated swales should be gently sloped (4:1) so that small wildlife is able to maneuver them.
- Efforts should be made during construction to minimize impacts on vegetative communities. Existing roads and rights-of-way should be used for all transportation. Off-road driving should be avoided. Staging areas should be located in previously disturbed sites, where possible, and kept as small as possible.

With implementation of these recommendations, the Department believes that this project as proposed is unlikely to adversely affect wildlife or wildlife habitats. For your convenience, we have enclosed a copy of New Mexico Wildlife of Concern for San Juan County (Biota Information System of New Mexico, BISON-M, New Mexico Dept. of Game and Fish electronic database). Species accounts, habitat associations and county species lists (use the "Database Query" option) can be accessed from the BISON-M database via the World-wide Web at <http://www.bison-m.org>. The Department recommends that you contact the U.S. Fish and Wildlife Service for current listing of federally listed species.

Thank you for the opportunity to review and comment on your project. If you have any questions, please contact Ellen Heilhecker, Northwest Area Habitat Specialist at (505) 222-4708 or ellen.heilhecker@state.nm.us.

Sincerely,



Kenneth K. Cunningham
Assistant Chief, Technical Guidance Section
Conservation Services Division

KKC/eh

Enc.: 1

xc: USFWS NMES Field Office
Ellen Heilhecker, NW Area Habitat Specialist, NMDGF
Robert Livingston, NW Area Operations Assistant Chief, NMDGF

NEW MEXICO WILDLIFE OF CONCERN

SAN JUAN COUNTY

For complete up-dated information on federal-listed species, including plants, see the US Fish & Wildlife Service NM Ecological Services Field Office website at <http://www.fws.gov/southwest/es/NewMexico/SBC.cfm>. For information on state-listed plants, contact the NM Energy, Minerals and Natural Resources Department, Division of Forestry, or go to <http://nmrareplants.unm.edu/>. If your project is on Bureau of Land Management, contact the local BLM Field Office for information on species of particular concern. If your project is on a National Forest, contact the Forest Supervisor's office for species information. E = Endangered; T = Threatened; s = sensitive; SOC = Species of Concern; C = Candidate; Exp = Experimental non-essential population; P = Proposed

<u>Common Name</u>	<u>Scientific Name</u>	<u>NMGF</u>	<u>US FWS</u>	<u>critical habitat</u>
Roundtail Chub	<i>Gila robusta</i>	E	C	
Colorado Pikeminnow	<i>Ptychocheilus lucius</i>	E	E	Y
Razorback Sucker	<i>Xyrauchen texanus</i>	s	E	Y
California Kingsnake	<i>Lampropeltis getula californiae</i>	s		
Brown Pelican	<i>Pelecanus occidentalis</i>	E		
Bald Eagle	<i>Haliaeetus leucocephalus</i>	T		
Northern Goshawk	<i>Accipiter gentilis</i>	s	SOC	
Peregrine Falcon	<i>Falco peregrinus</i>	T	SOC	
Mountain Plover	<i>Charadrius montanus</i>	s	SOC	
Least Tern	<i>Sterna antillarum</i>	E	E	
Black Tern	<i>Chlidonias niger surinamensis</i>		SOC	
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	s	C	
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	s	T	Y
Burrowing Owl	<i>Athene cunicularia</i>		SOC	
Black Swift	<i>Cypseloides niger</i>	s		
Broad-billed Hummingbird	<i>Cynanthus latirostris</i>	T		
Southwestern Willow Flycatcher	<i>Empidonax traillii extimus</i>	E	E	Y
Loggerhead Shrike	<i>Lanius ludovicianus</i>	s		
Gray Vireo	<i>Vireo vicinior</i>	T		
Baird's Sparrow	<i>Ammodramus bairdii</i>	T	SOC	
Sprague's Pipit	<i>Anthus spragueii</i>		C	
Western Small-footed Myotis Bat	<i>Myotis ciliolabrum melanorhinus</i>	s		
Yuma Myotis Bat	<i>Myotis yumanensis yumanensis</i>	s		
Little Brown Myotis Bat	<i>Myotis lucifugus carissima</i>	s		
Long-legged Myotis Bat	<i>Myotis volans interior</i>	s		
Fringed Myotis Bat	<i>Myotis thysanodes thysanodes</i>	s		
Long-eared Myotis Bat	<i>Myotis evotis evotis</i>	s		
Spotted Bat	<i>Euderma maculatum</i>	T		
Pale Townsend's Big-eared Bat	<i>Corynorhinus townsendii pallescens</i>	s	SOC	
Big Free-tailed Bat	<i>Nyctinomops macrotis</i>	s		
Yellow-bellied Marmot	<i>Marmota flaviventris</i>	s		
Gunnison's Prairie Dog (prairie)	<i>Cynomys gunnisoni</i>	s		
Red Fox	<i>Vulpes vulpes</i>	s		
Black-footed Ferret	<i>Mustela nigripes</i>		E	
Western Spotted Skunk	<i>Spilogale gracilis</i>	s		

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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Office of the Secretary

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Governor
JOHN A. SANCHEZ
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Phone (505) 827-2855 Fax (505) 827-2836
www.nmenv.state.nm.us



DAVE MARTIN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

September 13, 2012

Animas Environmental Services, LLC
ATTN: Elizabeth McNally, P.E.
624 E. Comanche
Farmington, NM 87401
emcnally@animasenvironmental.com

RESPONSE BY EMAIL

RE: Porter Arroyo Strom Water Detention Facility

Dear Ms. McNally:

Your letter regarding the above named project was received in the New Mexico Environment Department (NMED) and was sent to various Bureaus for review and comment. Comments were provided by the Surface Water Quality Bureau, Air Quality Buearu, and Ground Water Quality Bureau and are as follows.

Surface Water Quality Bureau

The U.S. Environmental Protection Agency (USEPA) requires National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) coverage for storm water discharges from construction projects (common plans of development) that will result in the disturbance (or re-disturbance) of one or more acres, including expansions, of total land area. Because this project exceeds one acre (including staging areas, etc.), it may require appropriate NPDES permit coverage prior to beginning construction (small, one - five acre, construction projects may be able to qualify for a waiver in lieu of permit coverage - see Appendix C).

Among other things, this permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared for the site and that appropriate Best Management Practices (BMPs) be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants (primarily sediment, oil & grease and construction materials from construction sites) in storm water runoff from entering waters of the U.S. This permit also requires that permanent stabilization measures (revegetation, paving, etc.), and permanent storm water management measures (storm water detention/retention structures, velocity dissipation devices, etc.) be implemented post construction to minimize, in the long term, pollutants in storm water runoff from entering these waters. In addition, permittees must ensure that there is no increase in

sediment yield and flow velocity from the construction site (both during and after construction) compared to pre-construction, undisturbed conditions (see Subpart 9.4.1.1)

You should also be aware that EPA requires that all "operators" (see Appendix A) obtain NPDES permit coverage for construction projects. Generally, this means that at least two parties will require permit coverage. The owner/developer of this construction project who has operational control over project specifications, the general contractor who has day-to-day operational control of those activities at the site, which are necessary to ensure compliance with the storm water pollution plan and other permit conditions, and possibly other "operators" will require appropriate NPDES permit coverage for this project.

The CGP was re-issued effective February 16, 2012. The CGP, Notice of Intent (NOI), Fact Sheet, and Federal Register notice can be downloaded at:

<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>

You should also be aware that any excavation or placement of fill which will take place in "waters of the United States" (including ephemeral drainages) may require a Clean Water Act, Section 404 permit from the U.S. Army Corps of Engineers (COE).

Air Quality Bureau

The Air Quality Bureau has evaluated the information submitted with respect to the proposed Porter Arroyo Storm Water Detention Facility in City of Farmington, San Juan County, New Mexico. San Juan County, NM is currently considered to be in attainment with all New Mexico and National Ambient Air Quality Standards.

To ensure air quality standards are met, applicable local or county regulations requiring noise and/or dust control must be followed; if none are in effect, controlling construction-related air quality impacts during projects should be considered to reduce the impact of fugitive dust and/or noise on community members.

Potential exists for temporary increases in dust and emissions from earthmoving, construction equipment and other vehicles. However, the increases should not result in non-attainment of air quality standards. Dust control measures should be taken to minimize the release of particulates due to vehicular traffic, construction, drilling procedures and reclamation activities. Areas disturbed by the construction activities, within and adjacent to the project area should be reclaimed to avoid long-term problems with erosion and fugitive dust.

All asphalt, concrete, quarrying, crushing and screening facilities contracted in conjunction with the proposed project must have current and proper air quality permits. For more information on air quality permitting and modeling requirements, please refer to 20.2.72 NMAC.

If air quality permits are required for the proposed action, permits will need to be administered by the New Mexico Environment Department (NMED).

Ground Water Quality Bureau

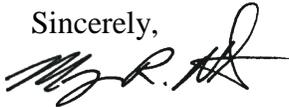
New Mexico Environment Department (NMED) Ground Water Quality Bureau (GWQB) staff reviewed the above-referenced letter as requested, focusing specifically on the potential effect to ground water resources in the area of the proposed project.

The City of Farmington is proposing to construct a storm water detention facility in Porter Arroyo designed to contain a 100-year storm. Construction will include excavation and grading of a basin, construction of the perimeter berm, construction of intake and outfall structures, and installation of riprap.

Please note that while implementation of the improvement project is not expected to adversely affect ground water, it will involve the use of heavy equipment, thereby leading to a possibility of contaminant releases (e.g., fuel, hydraulic fluid, etc.) associated with equipment malfunctions. The GWQB advises all parties involved in the project to be aware of notification requirements for accidental discharges contained in 20.6.2.1203 NMAC. Compliance with the notification and response requirements will further ensure the protection of ground water quality in the vicinity of the project.

I hope this information is helpful to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Morgan R. Nelson". The signature is fluid and cursive, with a large initial "M" and "R".

Morgan R. Nelson
Environmental Impact Review Coordinator
NMED File Number: EIR 3768

From: Watson, Blaine, OSE <Blaine.Watson@state.nm.us>
Sent: Monday, August 13, 2012 3:25 PM
To: emcnally@animasenvironmental.com
Subject: Porter Arroyo comment request

Hello Beth-

I have received your request for comment on the City of Farmington Porter Arroyo project. Because I had previously worked on this project for AES, I asked my supervisor in Santa Fe, John Romero (Director of the Water Rights Division), for input on how to respond this request in order to avoid any conflict of interest concerns. Based on that guidance, I am including a brief explanation and language from the applicable section of New Mexico statutes regarding the aspects of this project for which OSE would hold jurisdiction.

There are two basic areas to be considered for a project involving artificial retention of runoff water: 1) dam safety (paragraphs B, C, and E of NMSA 72-5-32) and 2) water rights (paragraph D of the statute). The District V office deals with the area of water rights in the San Juan Basin, but dam safety throughout the state is handled by the OSE Dam Safety Bureau in Santa Fe (phone #: 505-827-6122). You should review the specific requirements of the dam safety paragraphs of NMSA 72-5-32 provided below and contact the Dam Safety Bureau as needed with any questions you may have regarding their jurisdiction for this project.

Regarding water rights, as described in the statutory language in paragraph D below, if a flood or erosion control dam is designed such that it does not retain water for a period greater than 96 hours, then no water rights permit is necessary (note that other types of dams are excluded from this exemption from water rights permitting). If you do determine that the planned drainage period for the flood or erosion control dam will exceed 96 hours, or if future operational monitoring shows this is the case, a permit application for the appropriation of surface water would be required through the OSE Water Rights Division. If this is the case, please let me know if you have any questions pertaining to the water rights permitting process or requirements. Otherwise, no further consultation is necessary regarding the issue of water rights for this project at this time.

Regards,

Blaine Watson, P.G.

District V Manager
N.M. Office of the State Engineer
100 Gossett Drive, Suite A
Aztec, New Mexico 87410
(505) 334-4571

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72-5-32. Construction and operation of dams; state engineer authority.

A. Except as provided in Subsection D of this section, any person, association or corporation, public or private, the state or the United States intending to construct a dam shall file applications for appropriations and use of water pursuant to Section 72-5-1, 72-5-22, 72-5-23 or 72-5-24 NMSA 1978.

B. Any person, association or corporation, public or private, the state or the United States intending to construct or operate a dam shall submit detailed plans to the state engineer for approval before construction or operation of the dam, except for a dam that:

(1) is less than twenty-five feet in height from the lowest natural ground surface elevation at the downstream toe of the dam to the crest of the dam and has a storage capacity of less than fifty acre-feet of water;

(2) is less than six feet in height from the lowest natural ground surface elevation at the downstream toe of the dam to the crest of the dam, regardless of storage capacity; or

(3) has a storage capacity of fifteen acre-feet or less of water, regardless of height.

C. If the state engineer finds that the dam design and operational plan are safe, the state engineer shall approve the plans.

D. Filing an application for the appropriation and use of water is not required for the construction or operation of a flood or erosion control dam; provided that a flood or erosion control dam shall not store water for more than ninety-six hours unless a longer duration time is authorized by the state engineer and water stored shall not be placed to any beneficial use unless specifically authorized by the state engineer.

E. The state engineer shall determine how the height, storage capacity and storage duration for all dams are calculated or measured and shall prescribe the form in which dam design plans and operational plans are submitted.

History: Laws 1941, ch. 126, § 25; 1941 Comp., § 77-530; 1953 Comp., § 75-5-30; Laws 1979, ch. 114, § 1; 1997, ch. 66, § 1; 2004, ch. 86, § 1; 2009, ch. 36, § 1.

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JOHN R. D'ANTONIO, JR. P.E.
STATE ENGINEER



DAM SAFETY BUREAU
LEW WALLACE BUILDING
P.O. BOX 25102
SANTA FE, NEW MEXICO
(505) 827-6122
FAX (505) 827-6068

STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
Santa Fe

June 7, 2011

Kevin Banks, P.E.
Associate Engineer
Larkin Group
8500 Menaul Blvd NE, Suite A-440
Albuquerque, NM 87112

RE: Porter Arroyo Storm Water Detention Pond, OSE Misc. File: Ponds

Dear Mr. Banks:

On May 18, 2011, the Office of the State Engineer (OSE) Dam Safety Bureau received your letter and drawings requesting a jurisdictional review of Porter Arroyo Storm Water Detention Pond for the City of Farmington. Your letter states the downstream toe is elevation 5631 feet and the elevation of the dam crest is approximately 5654 feet for a dam height of approximately 23 feet. The grading plan (Sheet 6) verifies the elevations. The stage storage table indicates the pond stores approximately 28 acre-feet at the spillway crest elevation of 5643 feet.

The proposed embankment is below the jurisdictional size standard of 25 feet high and the storage behind the dam is less than 50 acre-feet; therefore, the proposed Porter Arroyo pond is not a jurisdictional dam in accordance with Section 72-5-32 NMSA. A permit from the OSE Dam Safety Bureau is required if the design or as-built condition changes resulting in a jurisdictional dam.

Please contact the OSE Water Rights Division, Aztec District V Office for compliance with the Pond Regulation (19.26.2.15 NMAC) contained in the Surface Water Rules and Regulations.

If additional information is required, please feel free to call me at 505-827-6111

Sincerely,

A handwritten signature in blue ink that reads "Elaine C. Pacheco".

Elaine C. Pacheco, PE
Dam Safety Bureau

ECP

via email: Nica Westerling, City of Farmington, nwesterling@fmtn.org
Bill Enenbach, OSE, District V

U.S. Department of Homeland Security
Federal Emergency Management Agency
800 North Loop 288
Denton, Texas, 76309

94725



FEMA

June 19, 2012



Jan V. Biella
Acting State Historic Preservation Officer
Attention Bob Estes, Archaeologist
Department of Cultural Affairs
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, NM 87501

RE: Section 106 Review Consultation, FEMA-Hazard Mitigation Grant Program
City of Farmington, New Mexico
Porter Arroyo Detention Facility
Coordinates: N36.77877 W108.16336

Dear Ms. Biella:

The City of Farmington is requesting funding from the FEMA Hazard Mitigation Grant Program for drainage and safety improvements to the Porter Arroyo, San Juan County, New Mexico. FEMA is initiating Section 106 review for the above referenced property.

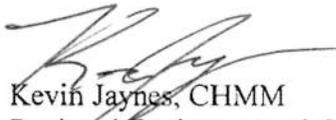
The purpose of the proposed hazard mitigation project is to minimize the impacts of flooding to properties along Porter Arroyo in the northeastern portion of the City of Farmington. Past rain events have resulted in flash flooding, which can threaten lives, and in widespread damages to commercial businesses, residences, and public infrastructure. The Porter Arroyo Detention Facility is proposed for construction at the northeast corner of the intersection of Pinon Hills Boulevard and College Boulevard, directly west of Piedra Vista High School, and approximately 2.4 miles upstream along the Porter Arroyo from the Animas River. This proposed site for the detention facility is north of the residential and commercial properties that receive flood damages when a storm event occurs in this area. The project includes the construction of an earthen berm to control the storm water flow rate of the Porter Arroyo. The detention facility will be designed to detain the runoff generated by a 100-year storm within the Porter Arroyo drainage system. Construction will include excavation and grading of the basin, construction and grading of the perimeter berm, construction of intake and outfall structures, installation of rip rap for stabilization and erosion control, and seeding and fencing of the detention area. Some minor relocations of existing gas lines may be required, and extensions of existing sanitary sewer lines are also part of the project. Additionally, a service road entering from College Boulevard will be constructed to provide access to the site. The entire project site is approximately 40 acres. Ground disturbing activities are estimated to be less than 10 acres within the 40 acre site.

Jan V. Biella
June 19, 2012
Page 2

A cultural records file search in the Archaeological Records Management Section (ARMS) of the New Mexico State Historic Preservation Division (HPD) through the New Mexico Department of Cultural Affairs, New Mexico State Historic Preservation Office (SHPO), was conducted for known archaeological sites. A review of the archeological data in ARMS indicates that the Area of Potential Effect was surveyed for archaeology by Western Cultural Resource Management, Inc., in 1996, and there are no sites located on, or directly adjacent to the project area, and after testing, no further archaeology was recommended for the closest site to the project area, LA 113650. Therefore, based on information gathered through this review process, FEMA has determined that **No Historic Properties Affected** as a result of the proposed undertaking. We request concurrence with this determination.

Your prompt review of this project is greatly appreciated. Should you need additional information please contact Dorothy Weir, FEMA EHP, at (940) 383-7250.

Sincerely,



Kevin Jaynes, CHMM
Regional Environmental Officer
FEMA - Region VI

Enclosures

- Aerial Map and APE of Location
- NM ARMS Map
- Cultural Resources Letter

No Historic Properties Affected

 26 July 2012
for NM State Historic Preservation Office.