Section 404 Department of the Army Permit Application Narrative for the Priority I Interstate 40 Subreach Sites, NMISC's Angostura/Albuquerque Reach Habitat Restoration Project, Bernalillo County, New Mexico

(Expanded ENG Form 4345)

JUNE 2026

PREPARED FOR

U.S. Army Corps of Engineers

USACE Project Number: SPA-2025-00353

New Mexico Environment Department

ON BEHALF OF

New Mexico Interstate Stream Commission

PREPARED BY

SWCA Environmental Consultants

SECTION 404 DEPARTMENT OF THE ARMY PERMIT APPLICATION NARRATIVE FOR THE PRIORITY I INTERSTATE 40 SUBREACH SITES, NMISC'S ANGOSTURA/ALBUQUERQUE REACH HABITAT RESTORATION PROJECT, BERNALILLO COUNTY, NEW MEXICO

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PURPOSE OF THIS DOCUMENT

This document provides the information required for the U.S. Army Corps of Engineers (USACE) application for a Department of the Army permit using an expanded narrative format based on ENG Form 4345. The structure and numbering correspond to the blocks of ENG Form 4345 to ensure that all required application information is provided in accordance with 33 Code of Federal Regulations (CFR) Part 325.

The standard ENG Form 4345 provides limited space for project descriptions and impact information. This expanded format provides sufficient narrative space to fully describe the proposed activity and associated impacts so the USACE can evaluate the project under applicable regulations, including the Section 404(b)(1) Guidelines (40 CFR Part 230) and the public interest review factors described in 33 CFR 320.4.

Figures A-1 through A-10 in Appendix A are non-technical maps created for the project's public interest review.

Block 1–7. Applicant Information

Applicant Name:	Grace Haggerty
Company/Organization:	New Mexico Interstate Stream Commission (NMISC)
Mailing Address:	5550 San Antonio Drive NE
City, State, ZIP:	Albuquerque, New Mexico 87109
Country:	United States of America
Phone Numbers:	(505) 469-6963

Block 8–11. Authorized Agent Information

Agent Name:	Andrew Spear
Company/Organization:	SWCA Environmental Consultants
Mailing Address:	7770 Jefferson Street NE, Suite 410
City, State, ZIP:	Albuquerque, New Mexico 87109
Country:	United States of America
Phone Numbers:	(828) 713-5448
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Statement of Authorization

The applicant authorizes the agent identified above to act on their behalf in the processing of this permit application and to furnish, upon request, supplemental information in support of this permit application.

Block 12. Project Name or Title

Priority I – Interstate 40 Subreach Sites, NMISC's Angostura/Albuquerque Reach Habitat Restoration Project

Block 13. Name of Waterbody

SWCA Environmental Consultants (SWCA) conducted an aquatic resources delineation survey of the project area on September 18 and 19, 2023, and October 23–27, 2023, to confirm the presence/absence of jurisdictional waters of the United States (WOTUS). The findings from this survey are outlined in the project's Aquatic Resources Inventory Report in Appendix B.

The proposed project is along the Rio Grande (river) and within the Rio Grande Basin which lies within the City of Albuquerque-Rio Grande watershed (Hydrologic Unit Code [HUC]–10 1302020303) and the Arroyo de las Calabacillas-Rio Grande watershed (HUC-10 1302020301) (U.S. Geological Survey [USGS] 2021).

The Rio Grande and two other non-wetland stream features (ST01 and ST02) connected to the Rio Grande exhibited strong, relevant, and reliable ordinary high water marks (OHWMs) within the project area (see Figures A-11–A-21 for project maps and Figures A-22–A-24 for photographs in Appendix A). Additionally, 13 delineated three-parameter wetlands were identified in the survey area (WL01–WL13) (see Figures A-11–A-21 for project maps and Figures A-25–A-38 for photographs in Appendix A). In total, SWCA assessed 43 wetland determination points throughout the project area, primarily utilizing pairs of points to differentiate wetlands from upland areas. Of the 43 total determination points, 21 points were determined to have three-parameter wetland indicators within 13 delineated wetland features.

The proposed project activities are anticipated to include dredge and fill within the OHWM of the Rio Grande and ST01, as well as seven three-parameter wetlands (WL01, WL02, WL04, WL05, WL07, WL12, and WL13). Blocks 20–22 of the application describe the dredge and fill activities and estimate the anticipated the volume and area impacts to all impacted aquatic resources. Additionally, construction of two new access roads are anticipated to impact WL04 and WL05 (see Figures A-39 and A-40 for photographs in Appendix A).

Block 14. Project Street Address

Not Applicable

Block 15. Location of Project

County, State: Bernalillo County, New Mexico

Table 1. Coordinates of Project Locations

Location	Latitude	Longitude
Project Centerpoint	35.09653	-106.69020
Upstream	35.12304	-106.69090
Downstream	35.06989	-106.66049

Block 16. Other Location Descriptions

The project area for the Priority I project is in Bernalillo County, New Mexico, along the east and west banks of the Rio Grande, near the north side of Interstate 40 (I-40) from river mile 186.0 to the north side of the Avenida Dolores Huerta bridge at river mile 181.6 (see Figure A-11 in Appendix A). The project area is located on lands jointly owned by the Bureau of Reclamation (Reclamation) and the Middle Rio Grande Conservancy District (MRGCD) on the Rio Grande within the New Mexico Principal Meridian. Affected interests include Reclamation and the MRGCD. The following sections from the Public Land Survey System include project components: Township 10 North, Range 2 East, Sections 1, 11, 12, 13, 14, and 24, as well as Range 3 East, Sections 19 and 30.

Block 17. Directions to the Site

The project area is located in Bernalillo County, New Mexico, adjacent to the city of Albuquerque, New Mexico. From the intersection of Interstate 25 and I-40 in Albuquerque, travel west on I40 for approximately 2.4 miles to the exit for Rio Grande Boulevard Northwest and head south. Travel 0.44 mile south to Mountain Road Northwest and turn west to the Albuquerque Biological Park Botanic Garden. You will arrive at the central portion of the project area.

Block 18. Nature of Activity

The proposed activities consist of restoration that would involve bankline modification, island destabilization, construction of flow-through and backwater channels, confluence maintenance, jetty jack removal, placement of large woody debris (LWD), vegetation management, limited access road and trail work, and associated upland staging, spoil management, monitoring, and maintenance activities. Construction is expected to use conventional earthmoving equipment and would occur both within and adjacent to jurisdictional WOTUS.

The nature of activity from the Priority I project is further described in Sections 1.1, 1.2, 2, and 3 in the *Restoration Plan for Priority I – Interstate 40 Subreach Sites, NMISC's Angostura/Albuquerque Reach Habitat Restoration Project in Bernalillo County, New Mexico,* provided in Appendix C. Detailed project design specifications are provided in the *Priority I Design Package* in Appendix D**.**

Block 19. Project Purpose

The overall purpose of the Priority I project is habitat restoration within the Interstate 40 (I-40) subreach of the Middle Rio Grande, defined from north of I-40 at river mile 186.6 to the Avenida Dolores Huerta bridge at river mile 181.0 in Bernalillo County, New Mexico. The project is water-dependent because restoration of aquatic, wetland, and floodplain habitats that support the Rio Grande silvery minnow (Hybognathus amarus) (RGSM) requires modification of geomorphic and hydrologic conditions within the active river channel and adjacent floodplain wetlands, where enhancing existing degraded wetlands is more practicable and likely to be successful than creating new wetlands. The project is intended to improve the quality of floodplain and low-velocity aquatic habitats that support RGSM, including through the restoration and enhancement of existing degraded wetlands, and to enhance the ecological function and habitat quality of riparian, wetland, and floodplain environments that support other federally listed species within this reach.

The project purpose was developed in accordance with the Clean Water Act (CWA) Section 404 (b)(1) Guidelines and is included in the *404(b)(1) Alternatives Analysis, NMISC's Angostura/Albuquerque Reach, Priority I Habitat Restoration Project in Bernalillo County, New Mexico* provided in Appendix E.

Blocks 20–22. Discharge of Dredged or Fill Material

The basic project purpose is to restore and enhance degraded aquatic, riparian, wetland, and floodplain habitats within the Middle Rio Grande. Achieving this purpose requires excavation and limited placement of wood material within WOTUS to modify channel and floodplain elevations, improve hydrologic connectivity, and construct restoration features designed to support low-velocity aquatic habitats and floodplain inundation. Detailed project information, including descriptions of restoration design and construction methods, are provided in the *Restoration Plan for Priority I – Interstate 40 Subreach Sites, NMISC's Angostura/Albuquerque Reach Habitat Restoration Project in Bernalillo County, New Mexico,* provided in Appendix C (SWCA 2026).

The project is expected to include 54,050.8 cubic yards of excavation and 24.4 cubic yards of wood fill added (LWD) within 38.94 acres of jurisdictional WOTUS, including 36.36 acres of three-parameter wetlands, 2.55 acres of the Rio Grande OHWM, and 0.04 acre of ST01. The project impacts to aquatic resources are summarized in Table 2 and Table 3. The Priority I project design has potential to increase 14.77 acres of jurisdictional WOTUS (see Table 3) by excavating upland areas outside of the delineated aquatic features down to adjacent wetland and OHWM elevations. The project anticipates approximately 320.4 total feet of new access roads to be constructed within 5,244.8 square feet of jurisdictional WOTUS (see Table 2; also see Figures A-12 through A-21 in Appendix A). Spoil materials from the project's dredge and fill activities are anticipated to consist of native alluvial sediments, including sand, silt, clay, and gravel, as well as vegetative material generated during excavation and vegetation removal.

Table 2. Aquatic Resources Impact Table for Jurisdictional WOTUS

Aquatic Resource (SWCA Unique Identifier	Aquatic Resource Type (Classification)	Area of Impact	Volume of Impact (cubic yards)	Linear Length of Impact (feet)	Project Stage	Latitude (N), Longitude (W)
Dredge (Excavation)						
WL01	PSS1A, R2UB2F, R2UB2H	0.06	154.4	80.8	Initial Construction	35.11606 -106.691
WL02	PSS1A, R2UB2F	4.29	4,281.5	1,281.8	Initial Construction	35.11174 -106.691
WL04	PFO1A, PSS1A, R2UB2F, R2US2C	13.09	17,253.9	1,713.8	Initial Construction	35.10363 -106.693
WL05	PFO1A, PSS1A, R2UB2F, R2US2C	0.09	312.6	37.8	Initial Construction	35.09941 -106.692
WL07	PFO1A, PSS1A, R2UB2F, R2US2C	2.19	6,036.9	1,050.2	Initial Construction	35.09677 -106.691
WL12	PFO1A, PSS1A, R2UB2F	0.34	1,233.8	1,099.9	Initial Construction	35.09102 -106.684
WL13	PEM1A, PSS1A, R2UB2F	16.29	23,048.3	2,651.9	Initial Construction	35.08221 -106.674
Rio Grande OHWM	Stream/River, Perennial	2.55	1,633.0	3,568.8	Initial Construction	35.09310, -106.674
ST01, OHWM	R4SB	0.04	96.4	24.7	Initial Construction	35.10780, -106.693
Total		**38.94 acres**	**54,050.8**	**11,509.7**	**Initial Construction**	
Fill Added (LWD)						
WL01	PSS1A, R2UB2F, R2UB2H	60.0	1.7	12.0	Initial Construction	35.11606 -106.691
WL02	PSS1A, R2UB2F	100.0	2.9	20.0	Initial Construction	35.11174 -106.691

Aquatic Resource (SWCA Unique Identifier	Aquatic Resource Type (Classification)	Area of Impact	Volume of Impact (cubic yards)	Linear Length of Impact (feet)	Project Stage	Latitude (N), Longitude (W)
WL04	PFO1A, PSS1A, R2UB2F, R2US2C	220.0	6.4	44.0	Initial Construction	35.10363 -106.693
WL07	PFO1A, PSS1A, R2UB2F, R2US2C	20.0	0.6	4.0	Initial Construction	35.09677 -106.691
WL13	PEM1A, PSS1A, R2UB2F	360.0	10.4	72.0	Initial Construction	35.08221 -106.674
Rio Grande OHWM	Stream/River, Perennial	40.0	1.2	8.0	Initial Construction	35.09310, -106.674
ST01, OHWM	None	40.0	1.2	8.0	Initial Construction	35.10780, -106.693
Total	-	840.0 square feet	24.4	168.0	Initial Construction	-
New Access Road						
WL04	PFO1A, PSS1A, R2UB2F, R2US2C	2,177.7	N/A	184.9	Initial Construction	35.10175, -106.693-
WL05	PFO1A, PSS1A, R2UB2F, R2US2C	2,656.5	N/A	189.8	Initial Construction	35.09906, -106.692-
Total	**-**	**5,244.8 square feet**	**N/A**	**374.7**	**Initial Construction**	**-**
Low Flow Temporary Access Route						
Rio Grande OHWM (North Route)	Stream/River, Perennial	2951.2	N/A	14.0	Initial Construction	35.10005, -106.693
Rio Grande OHWM (South Route)	Stream/River, Perennial	2532.6	N/A	14.0	Initial Construction	35.09310, -106.674
Total	**-**	**5,693.8 square feet**	**N/A**	**28.0**	**Initial Construction**	**-**

Aquatic Resource (SWCA Unique Identifier	Aquatic Resource Type (Classification)	Area of Impact	Volume of Impact (cubic yards)	Linear Length of Impact (feet)	Project Stage	Latitude (N), Longitude (W)
Channel Maintenance Zones: Dredge						
WL01	PSS1A, R2UB2F, R2UB2H	0.02	59.1	19.7	Post-Construction Maintenance	35.11416, -106.691
WL02	PSS1A, R2UB2F	0.60	1,290.2	1302.9	Post-Construction Maintenance	35.11177, -106.691
WL04	PFO1A, PSS1A, R2UB2F, R2US2C	1.44	3,630.1	1696.6	Post-Construction Maintenance	35.10337, -106.694
WL05	PFO1A, PSS1A, R2UB2F, R2US2C	0.05	177.6	211.5	Post-Construction Maintenance	35.10044, -106.694
WL07	PFO1A, PSS1A, R2UB2F, R2US2C	0.70	2,384.4	1052.1	Post-Construction Maintenance	35.09664, -106.691
WL12	PFO1A, PSS1A, R2UB2F	0.22	756.3	752.6	Post-Construction Maintenance	35.09080, -106.684
WL13	PEM1A, PSS1A, R2UB2F	2.03	5,264.6	2067.3	Post-Construction Maintenance	35.08255, -106.675
Rio Grande OHWM	Stream/River, Perennial	0.83	850.2	2308.0	Post-Construction Maintenance	35.09310, -106.674
Total		**5.89 acres**	**14,412.5**	**9410.7**	**Post-Construction Maintenance**	**-**
Channel Maintenance Zones: FIII						
Rio Grande OHWM	Stream/River, Perennial	4.13	14,412.5	8985.2	Post-Construction Maintenance	35.09310, -106.674
Total	**-**	**4.13 acres**	**14,412.5**	**8985.2**	**Post-Construction Maintenance -**	**-**
Channel Maintenance Zones: Temporary Equipment Access						
WL01	PSS1A, R2UB2F, R2UB2H	0.01	0.0	5.2	Post-Construction Maintenance	35.11416, -106.691
WL02	PSS1A, R2UB2F	0.30	0.0	1267.1	Post-Construction Maintenance	35.11177, -106.691

Aquatic Resource (SWCA Unique Identifier	Aquatic Resource Type (Classification)	Area of Impact	Volume of Impact (cubic yards)	Linear Length of Impact (feet)	Project Stage	Latitude (N), Longitude (W)
WL04	PFO1A, PSS1A, R2UB2F, R2US2C	0.32	0.0	537.1	Post-Construction Maintenance	35.10337, -106.694
WL05	PFO1A, PSS1A, R2UB2F, R2US2C	0.01	0.0	144.7	Post-Construction Maintenance	35.10044, -106.694
WL07	PFO1A, PSS1A, R2UB2F, R2US2C	0.05	0.0	391.0	Post-Construction Maintenance	35.09664, -106.691
WL12	PFO1A, PSS1A, R2UB2F	0.10	0.0	271.9	Post-Construction Maintenance	35.09080, -106.684
WL13	PEM1A, PSS1A, R2UB2F	0.83	0.0	1583.0	Post-Construction Maintenance	35.08255, -106.675
Rio Grande OHWM	Stream/River, Perennial	0.09	0.0	541.0	Post-Construction Maintenance	35.09310, -106.674
Total	**-**	**1.71 acres**	**0.0**	**4741.0**	**Post-Construction Maintenance**	**-**

*Aquatic Resource Type

PEM1A Palustrine emergent, persistent temporarily flooded wetland

PFO1A Palustrine, forested, broad-leaved, deciduous, temporarily flooded

PSS1A Palustrine scrub-shrub, broad-leaved deciduous, temporary flooded

R2UB2F Riverine lower perennial unconsolidated bottom, sand, semi-permanently flooded

R2UB2H Riverine lower perennial unconsolidated bottom, sand, permanently flooded

R2US2C Riverine lower perennial unconsolidated shore, sand, seasonally flooded

† Coordinates are approximate and based on aerial imagery

Table 3. Excavation Activities' Impacts to Jurisdictional WOTUS

Project Components	Total Area of Project Component (acres)	Area Occurring within WOTUS (acres)	Area of Potential WOTUS Increase (acres)
Backwater Channels	11.22	7.89	3.33
Bankline Modification	38.43	30.08	8.35
Flowthrough Channel	1.55	0.10	1.45
Island Destabilization	1.93	0.79	1.18
Mouth Cleanout	0.54	0.08	0.46
Total	**53.67**	**38.94**	**14.77**

Block 23. Avoidance, Minimization, and Compensation

The proposed restoration activities were designed to avoid and minimize impacts to WOTUS and Special Aquatic Sites to the maximum extent practicable while adequately achieving the project purpose. The proposed restoration activities are anticipated to result in an overall improvement to aquatic resources function and conditions within the project area. Although construction would result in temporary disturbance to WOTUS, these impacts are expected to be short-term and will be followed by restoration of floodplain elevations and aquatic habitats designed to enhance long-term ecological function and to support riparian habitats and species. Because the project is intended to restore and enhance aquatic resources and is expected to result in a net benefit to aquatic resource function, compensatory mitigation is not anticipated to be required in accordance with CWA Section 404.

A comprehensive list of design features, environmental commitments, and best management practices that are intended to reduce environmental and unavoidable impacts is provided in Section 5 of the *Restoration Plan for Priority I – Interstate 40 Subreach Sites, NMISC's Angostura/Albuquerque Reach Habitat Restoration Project in Bernalillo County, New Mexico* (Appendix C), would be incorporated into project construction specifications and implementation. The environmental commitments will be included in the design documents and contractor bid specifications.

The mitigation measures in this list that are identified as relevant to water quality and jurisdictional WOTUS are included in the section for Section 401: § 121.5 (b) 1 below.

Block 24. Work Already Complete

No.

Block 25 Adjoining Property Owners

See Appendix F for table of adjoining property owners.

Block 26 Other Agencies Certificates or Approval Denials

A comprehensive list and the project status of all federal, state, and local permits, authorizations, and approvals pertaining to the proposed project are provided in Section 1.4 of Appendix C. A subset of the list providing the most relevant authorizations is provided below (Table 3).

Table 3. List of Other Certificates or Approvals and Denials Received from Other Federal, State, and/or Local Agencies

Agency	Type Approval	Identification Number	Date Approved	Date Denied	Application Appendix
New Mexico State Historic Preservation Office	National Historic Preservation Act, Section 106: Concurrence of No effect determination	125326	05/19/2025	N/A	Appendix G
Bureau of Reclamation	National Environmental Policy Act: Finding of No Significant Impact	AAO-25-003	07/30/2025	N/A	N/A
U.S. Fish and Wildlife Service	Endangered Species Act, Section 7: Letter of Inclusion under 2016 Biological Opinion	02ENNM00-2013-F-003	09/12/2025	N/A	Appendix H

Section 401: § 121.5 Request for Certification

§ 121.5 (a) (1) (ii): Water Quality Materials

Project planning and development relied on several readily available datasets, mapping resources, and technical analyses to understand aquatic resources, hydrology, and water quality conditions within the project area. Resources reviewed include the following:

- USGS National Hydrography Dataset for identification of mapped surface water features.
- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory for wetland mapping and classification.
- Federal Emergency Management Agency Flood Insurance Rate Maps to evaluate floodplain conditions.
- Natural Resources Conservation Service (NRCS) Web Soil Survey and hydric soil data to identify areas with potential wetland hydrology.
- Historic and current aerial imagery used to evaluate surface water features and landscape conditions over time.
- USGS watershed boundary and topographic data used to understand watershed context and hydrologic connectivity.
- USGS stream gage and flow data used to evaluate hydrologic conditions and variability within the Rio Grande project reach.
- Climate and hydrologic reference tools including the Antecedent Precipitation Tool, U.S. Environmental Protection Agency (EPA) Seasonally Dry Period Locator Tool, and NRCS Climate Analysis for Wetlands tables.
- EPA Stormwater Discharge Mapping Tool and the New Mexico Clean Water Act §303(d)/§305(b) Integrated Report for evaluation of water quality impairments and total maximum daily loads in nearby waters.

- Hydrologic and hydraulic modeling used to inform restoration design, including MIKE SHE groundwater/surface water modeling and its associated model packages (MIKE 21), and a two-dimensional Hydrologic Engineering Center River Analysis System (HEC-RAS) hydraulic model evaluating inundation patterns, flow velocities, and flood scenarios.

- High-resolution LiDAR topographic data and real-time kinematic field surveys used to evaluate channel morphology, sediment accumulation, and existing site conditions.

These resources and their utilization in project planning is further described in Section 3.1.1 of Appendix B (Aquatic Resources Inventory Report) and Section 1.3 of Appendix C (*Restoration Plan for Priority I – Interstate 40 Subreach Sites, NMISC's Angostura/Albuquerque Reach Habitat Restoration Project in Bernalillo County, New Mexico*).

§ 121.5 (b): Certification Requirements

1. DESCRIPTION OF THE PROPOSED ACTIVITY

See Blocks 18–22 above for descriptions of the proposed activities and impacts.

A comprehensive list of design features, environmental commitments, and best management practices that are intended to reduce environmental and unavoidable impacts is provided in Section 5 of the *Restoration Plan for Priority I – Interstate 40 Subreach Sites, NMISC's Angostura/Albuquerque Reach Habitat Restoration Project in Bernalillo County, New Mexico* (Appendix C), and will be incorporated into project construction specifications and implementation. The environmental commitments will be included in the design documents and contractor bid specifications.

The following mitigation measures and best management practices have been identified from the Appendix C list as being relevant to water quality and jurisdictional WOTUS:

General Design Features and Public Safety

Gen-1: Habitat restoration activities involving flow, elevation, sediment, habitat, surface water, and groundwater management planning have been incorporated into the project engineering design within Appendix D.

Gen-2: All necessary permits for access points, staging areas, and study sites will be acquired prior to construction activity.

Gen-4: Each individual operator will be briefed on local environmental considerations specific to the project tasks.

Gen-5: The NMISC and its contractors will have an on-site environmental monitor during all work activities that have the potential for adverse impacts in order to ensure compliance. Also, an environmental monitor will regularly assess other activities to ensure compliance.

Gen-6: The use of chemical herbicides or pesticides may be necessary to control undesirable plant species around stockpile sites and storage yards and also to prevent the spread of invasive species in areas cleared for maintenance activities. The NMISC will follow all state and federal laws and regulations applicable to the application of herbicides, including guidelines described by White (Recommended Protection Measures for Pesticide Applications in Region 2 of the U.S. Fish and Wildlife Service, 2007).

- Herbicides or pesticides will not be directly applied to or near water unless they are labeled for aquatic use and appropriate buffers (a minimum buffer of 20 feet for spot applications and 100 feet for ground applications) will be observed. Communication with the USFWS would occur prior to any application to sites with threatened or endangered wildlife species, and appropriate buffers (a minimum of 10 feet for spot applications and 90 feet for ground applications) will be observed around all known terrestrial habitats for federally or state-listed species. Reclamation and project partners will follow their agency's herbicide/pesticide guidance, if applicable.
- Herbicides or pesticides may be applied using low-pressure spray rigs mounted to off-highway vehicles, trucks and trailers with spray bars, or backpack sprayers (for spot applications). Treatments will be conducted by trained and approved personnel observing appropriate buffer distances and label directions.
- Herbicides will be applied directly to target plants rather than broadly to large areas to avoid harming nearby non-target or native vegetation. The lowest concentration possible that will still allow for achievement of the desired result will be used. When possible, herbicides will be applied in a mosaic pattern to avoid total loss of vegetation, alternating treated and non-treated sites between years.
- Treatment will not take place when winds exceed 10 miles per hour or when rain is forecasted for the local area within 48 hours of application. Care will be taken when mixing or applying any herbicide to avoid runoff onto the ground or into the water. Surfactants may also be added to certain herbicides to maximize herbicide/pesticide performance and minimize retreatments.
- Herbicides will be applied no later than 2 months before normal spring runoff and high-water tables are anticipated in the project area, and project partners will wait until streamflow is back below normal bankfull stage to consider applying herbicides in the late summer or fall.
- Herbicides will not be applied to vegetation that is being used by birds for nesting.

Gen-8: Restoration sites will be monitored for a minimum of 5 years following initial construction, with monitoring at select sites extending up to 15 years, to determine the effectiveness of the methods implemented and identify project-related hydrologic and geomorphic alterations. The monitoring will consist of biological, vegetation, geomorphic, and hydrologic monitoring, as appropriate to the project design and purpose.

Gen-9: Project activities will be scheduled to avoid times of predictable flooding to avoid working in high water (seasonal monsoons, snowmelt, or releases from dams).

Public-4: All waste material associated with the project will be disposed of properly and not placed in identified floodway or wetland areas or in habitats for species listed under the ESA.

Restore-1: Comprehensive Restoration Plan(s) for each priority group will be developed prior to construction to meet permitting and compliance (CWA Section 404 and Endangered Species Act (ESA) requirements for proposed habitat restoration project areas. Details on LWD placement, nonnative vegetation treatment, jetty jack removal, pedestrian access trail closure, and spoil materials will be captured within the implementation phase Restoration Plan and coordinated with the proper agency prior to construction. The Restoration Plan will provide a single document that contains performance standards, the monitoring methods, recommended maintenance, and adaptive management processes that can be implemented.

Wildlife

Fish-1: Any active RGSM monitoring and compliance during construction and maintenance activities will be submitted within a Letter of Delegation that will include a List of Authorized Individuals as qualified and permitted individuals, per the USFWS, as a compliance action in accordance with the USFWS 2016 *Final Biological and Conference Opinion for Bureau of Reclamation, Bureau of Indian Affairs, and Non-Federal Water Management and Maintenance Activities on the Middle Rio Grande, New Mexico*.

Fish-2: To allow fish time to leave the area before in-water work begins, equipment will initially enter the water slowly. In-water work will be fairly continuous during workdays, so that fish are less likely to return to the area once work has begun.

Fish-3: The NMISC will excavate an active bankline work area as few times as possible to minimize disturbance of sediment. When excavating along the wetted river channel, the following practices will be used to minimize disturbance of sediment:

- Minimize movement of excavator tracks
- Minimize excavator bucket contact with riverbed when not excavating

Fish-4: Whenever possible, airboats will be operated through the center of the channel to minimize disturbance to aquatic species, including RGSM.

Fish-5: The EA partners will monitor flows for 2 years following construction of side channels and, if flows at the nearest gage exceed the target inundation flows, will monitor the side channel for RGSM entrapment in accordance with the appropriate protocol. After 2 years, it may be determined in coordination with the USFWS that further monitoring is unnecessary.

Fish-6: If water is needed for dust abatement or to facilitate road grading, water may be pumped from the Rio Grande, irrigation drains, sumps, or secondary channels adjacent to the river. During irrigation season (March 1 to October 31), water will not be pumped from the river but will be pumped from the irrigation drains if possible. Outside the irrigation season, an amount not to exceed 5% of river flows at the time of pumping may be drawn from the Rio Grande. Pumping is short duration (minutes) for filling whatever water transport equipment is used. Sumps or secondary channels adjacent to the river will be used, whenever feasible. Pump intake pipes will use a 0.25-inch mesh screen at the opening of the intake hose to minimize entrainment of aquatic organisms.

Fish-7: The Proposed Action will minimize impacts to RGSM at restricted life stages (eggs and larvae) and their habitat by conducting work activities outside the spawning spring flows from May through June.

Fish-8: A fish exclusion zone will be established along the perimeter of the wetted river channel, adjacent to the active bankline construction zone to exclude fish from active work areas and thus avoid trapping, injuring, or causing mortality to RGSM or any other fish. Any fish within the exclusion zone will be removed immediately following installation. The exclusion zone will be installed approximately 10 feet into the river.

- Fish sampling will occur when the fish exclusion area is established, relocating fish outside the zone, and then any time the exclusion area is disturbed or breached during construction activities. This process will be repeated at each active bankline construction zone.

Soils, Water, and Vegetation Resources

Soil-1: Off-road use of wheeled equipment will occur only when soils are not saturated to minimize soil compaction, soil displacement, and rutting and erosion. Equipment will be operated in an area as little as possible to minimize disturbance of sediments. When operating equipment within the wetted channel, the following practices will be used to minimize disturbance of sediments:

- Minimize movement of equipment
- Minimize contact with the riverbed when not operating equipment

Soil-2: Vehicles and equipment will be pressure washed and/or steam cleaned of soil and debris capable of transporting weed seed prior to beginning work in the bosque to prevent the spread of noxious weeds and to remove contaminants.

Soil-3: Excavated material will be stored in designated and approved spoil areas that were sited within upland locations to prevent sediment from entering the Rio Grande.

Soil-4: Sediment placement and quantity will be approved by the USACE.

Soil-5: Designated construction ingress and egress and access road(s) will be outfitted with rock pads or similar design features to reduce tracking of sediment off-site.

Soil-7: Bare ground and the disturbance to bare ground will be minimized as much as possible to reduce erosion and control run-off of sediments.

Water-1: The NMISC will comply with all the requirements of the CWA and permits associated with the project, including reporting to the appropriate authorities as needed, and will not begin work until all required permits are obtained.

Water-2: The NMISC will comply with the requirements of Section 402 of the CWA and will obtain a permit from the EPA for construction stormwater discharges prior to construction.

- The NMISC will ensure the construction contractor develops and implements a Stormwater Pollution Prevention Plan and complies with the EPA's construction general permit for compliance with CWA Section 402, NPDES Stormwater Program.
- Appropriate erosion controls, such as silt fences or straw wattles, will be installed and maintained around the project site to manage stormwater runoff in accordance with the Stormwater Pollution Prevention Plan and construction general permit requirements.

Water-3: The NMISC will obtain the necessary CWA Sections 404/401 permits prior to construction and will comply with the requirements of the permits, including required reporting to the USACE and appropriate authorities as needed**.**

Water-4: Minimize impact of hydrocarbons: To minimize potential for spills into or contamination of aquatic habitat:

- Complete a written log of inspections and maintenance throughout the project period.
- Hydraulic lines will be checked for leaks each morning and periodically throughout each workday. Any leaky or damaged hydraulic hoses will be replaced. Leaking equipment will not be used in or near surface water(s).

- If heavy equipment must be operated in flowing water, biodegradable hydraulic fluid will be used.
- All fueling will take place at least 100 feet from surface water and outside the active floodplain, where possible. All fueling will occur with a spill kit ready. If amphibious excavators are used, fueling will occur at the Rio Grande using airboats equipped with lined fuel containment. Whenever possible, airboats will be operated through the center of the channel to minimize disturbance to aquatic species, including RGSM.
- Fuel, oil, hydraulic fluid, lubricants, and other petrochemicals will be stored outside of the 100-year floodplain within a secondary containment system capable of containing twice the volume of the product.
- All equipment will undergo high-pressure spray cleaning and inspection off-site prior to initial operation in the project area.
- Equipment will be parked on pre-determined locations on high ground away from the river overnight and on weekends and holidays. Equipment will not be parked or stored within a stream channel, floodplain or wetland.
- Spill protection kits will be on-site, and operators will be trained in the correct deployment of the kits. Spills will be reported immediately to NMED as required by the New Mexico Water Quality Control Commission Regulations.
- External hydraulic lines will be composed of braided steel covered with rubber. When there is increased risk of puncture such as during mastication while removing vegetation, external hydraulic lines will be covered with additional puncture-resistant material, such as steel-mesh guards, Kevlar, etc., to offer additional protection.

Water-5: The NMISC and its contractors will visually monitor for water quality in the areas below areas of river work before and during the workday. Water quality will be monitored during construction and after equipment operates in the river channel. Monitoring will include visual observations and may include direct sampling, as appropriate.

- If direct sampling is needed, water-quality parameters to be tested include pH, temperature, dissolved oxygen, and turbidity. Parameters will be measured both upstream and downstream of the work area.
- Responses to changes in water-quality measures exceeding the applicable standards would include reporting the measurements to the New Mexico Environment Department Surface Water Quality Bureau and moving construction activities away from the shore.

Water-6: Equipment will be removed from the channel in the event of high storm surges. Heavy equipment will be operated from the streambank or work platforms to avoid operating heavy equipment in flowing water whenever possible.

Water-7: Delineations of both state and federally jurisdictional wetlands will take place ahead of priority package design reviews, and wetland avoidance will be considered during the design phase. Impacts to wetlands will be minimized by using wetland mats, swamp maps, wooden mats, wide tires, tracks, or geotextile instead of road grading where possible, and soil ripping techniques will be used sparingly in wetlands when feasible. Work in wetlands will be avoided when soils are too saturated to support heavy machinery.

Water-8: Stream and wetland crossings will be limited to a single, narrow location that is perpendicular to the stream (or along a contour of a wetland).

Water-9: Flowing water that is diverted around the work area will remain within the existing channel and provide for aquatic life movement. Diversions will be non-erodible, such as sandbags, water bladders, concrete barriers, channel bypass pipe, or conveyance lined with geotextile or durable plastic sheeting. Unlined dirt cofferdams and trenches are not acceptable diversion structures.

Water-10: Upland buffers will be established and maintained between upland construction and all surface waters, including streams, arroyos and wetlands. Silt fences, seed-free straw mulch, hydro-mulch, biodegradable straw wattles, erosion control fabrics and other techniques will be employed, as appropriate, to protect waters from sedimentation and other pollutants. Temporary stabilization measures, such as silt fences and straw wattles, will be maintained until permanent stabilization is achieved.

Vegetation-1: Impacts to terrestrial and riparian habitats will be minimized by using existing roads whenever possible. In general, equipment operation will take place in the most open area available, and all efforts will be made to minimize damage to native vegetation and wetlands.

Air Quality

Air-6: Water used in dust suppression shall not contain contaminants in concentrations that exceed surface water or groundwater standards at 20.6.4 NMAC and 20.6.2 NMAC.

2. SPECIFIC LOCATION OF ANY DISCHARGE(S)

See Blocks 13–17 above.

3. MAP OF THE PROPOSED ACTIVITY SITE

See Figures A-11–A-21 in Appendix A for maps of the proposed activities.

4. DESCRIPTION OF CURRENT ACTIVITY SITE CONDITIONS

Within the Albuquerque (ABQ) Reach, the active river channel has become increasingly disconnected from adjacent floodplains and wetlands due to localized incision, channel narrowing, and sediment deposition. In many areas, steep riverbanks limit the frequency and extent of overbank inundation during spring runoff, reducing hydrologic connectivity and contributing to degradation of existing wetlands and floodplain habitats.

Additionally, many islands and bank-attached bars within the channel have become increasingly stabilized by dense vegetation that is often dominated by non-native species. These stabilized features narrow and deepen the active channel and limit the availability of low-velocity aquatic habitats. The resulting conditions reduce the quality of floodplain and aquatic habitats that support the RGSM and other riparian species.

Restoration is needed to improve hydrologic connectivity between the river channel and adjacent floodplain areas, improve the condition of existing wetlands, and address channel and floodplain conditions that currently limit the ecological function of floodplain and aquatic habitats within the ABQ Reach.

The project's Aquatic Resources Inventory Report (Appendix B) provides an assessment and overview of aquatic resources occurring within the ABQ Reach, including representative project photographs.

5. DATE(S) OF PROPOSED ACTIVITY

While the exact dates of project implementation will depend on compliance and planning timelines, the project is anticipated to begin preparatory work in September 2026, with excavation work occurring during low-flow periods starting in October 2026 and lasting through April 15, 2027. The project is anticipated to require 30–60 workdays during this implementation period.

6. FEDERAL, INTERSTATE, TRIBAL, STATE, TERRITORIAL, OR LOCAL AGENCY AUTHORIZATIONS

See Block 26 above.

7. DOCUMENTATION OF PRE-FILING MEETING REQUEST

See Appendix I for pre-filing meeting documentation.

APPENDIX A

Figures

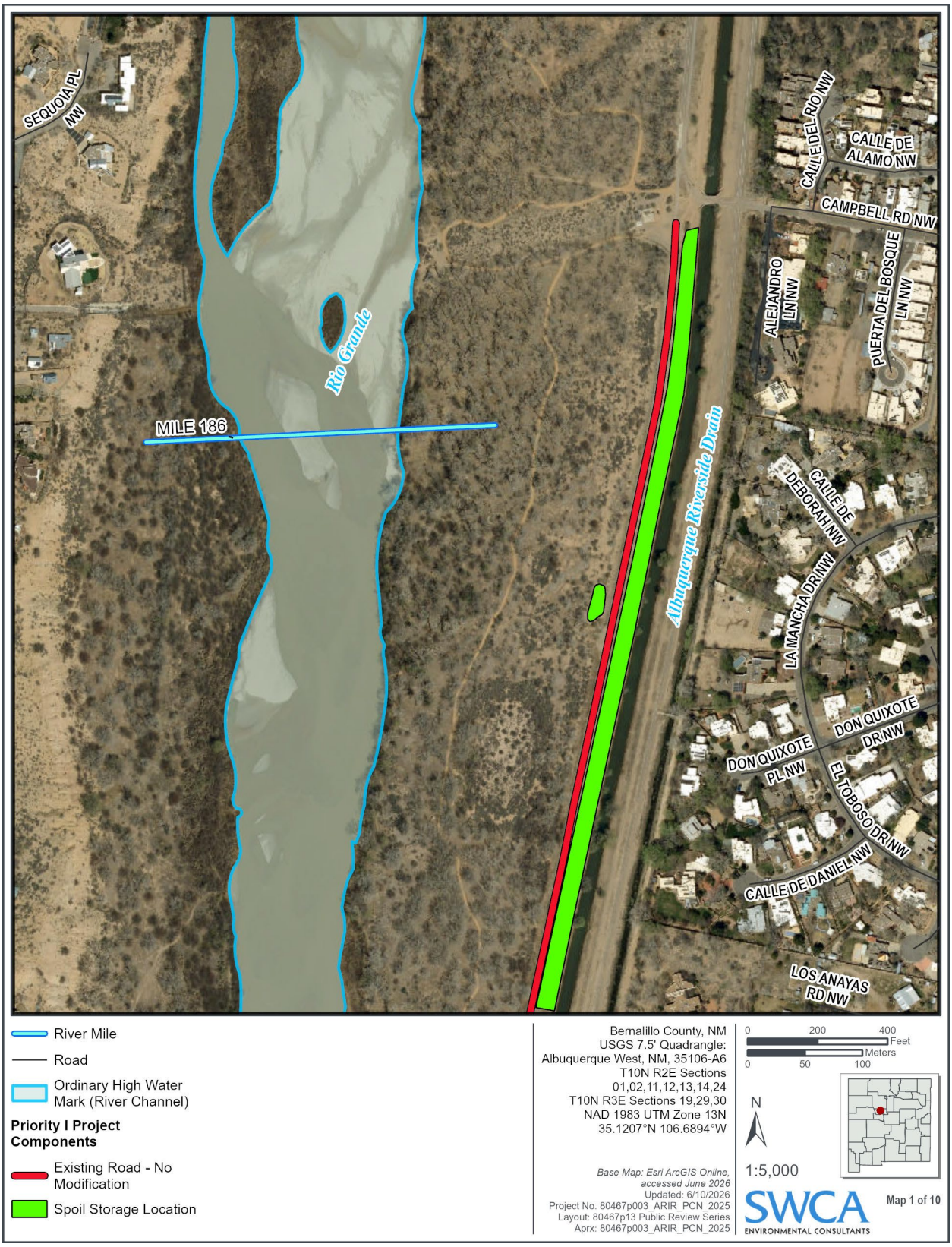


Figure A-1. Public interest review map for the proposed Priority I project (1 of 10).

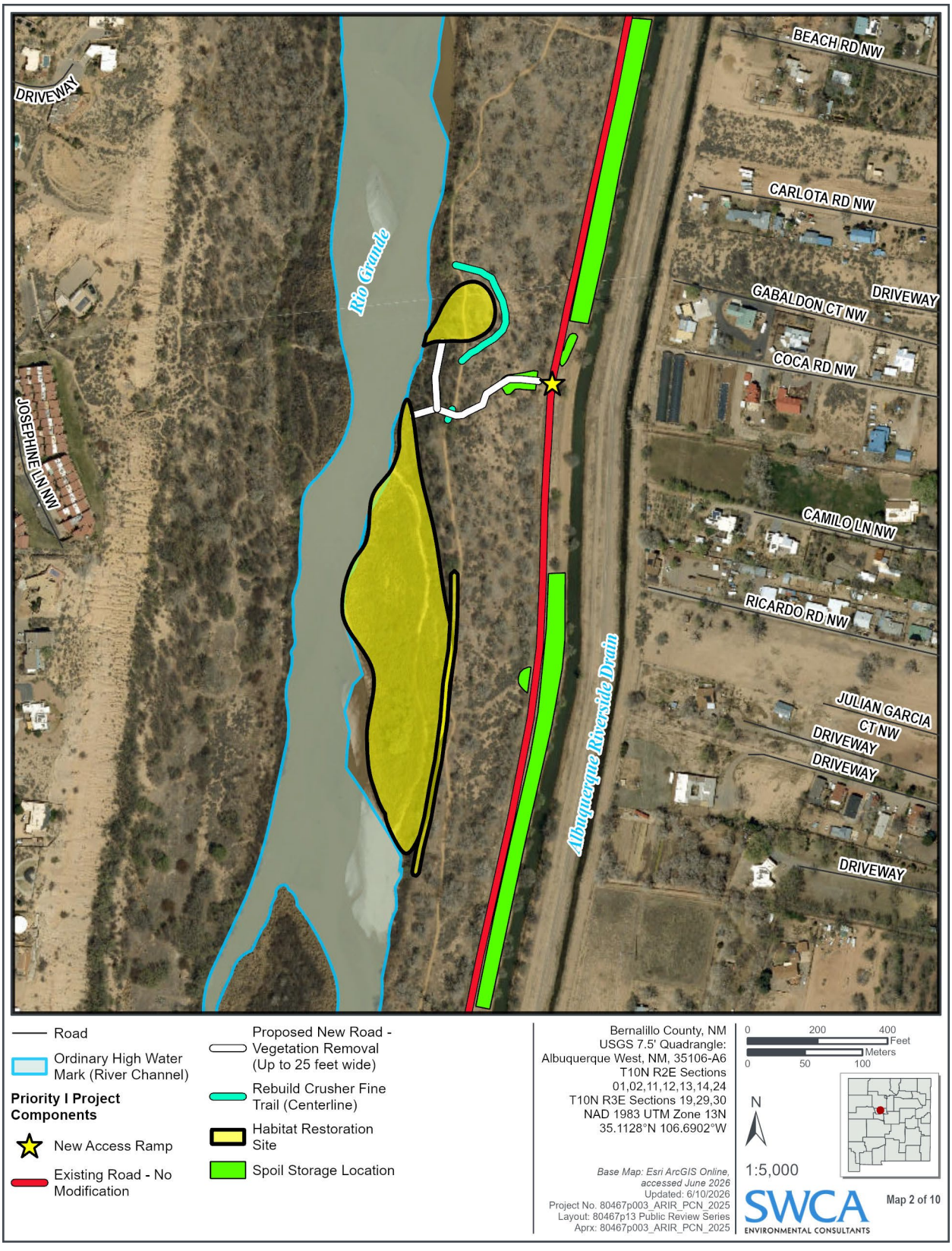


Figure A-2. Public interest review map for the proposed Priority I project (2 of 10).

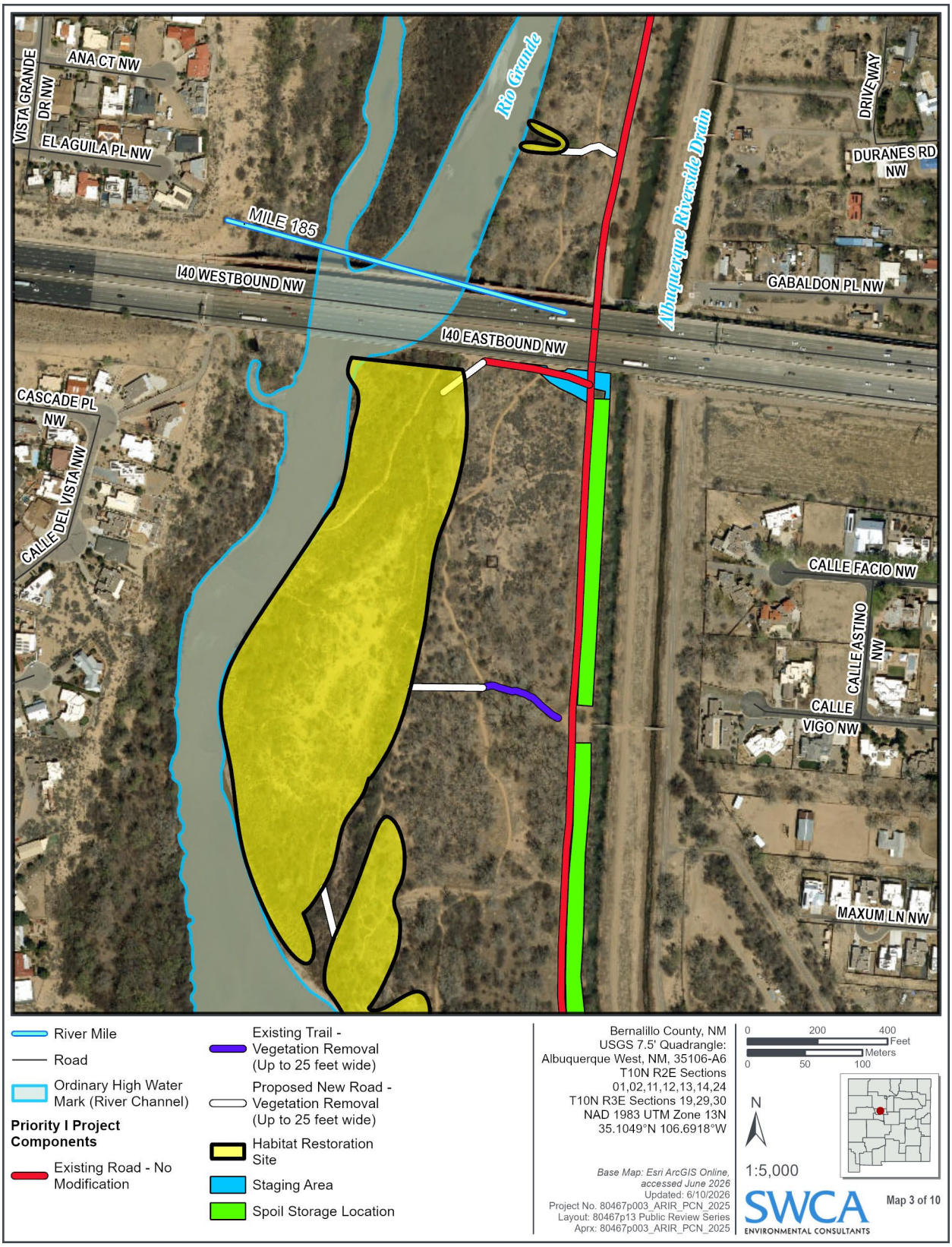


Figure A-3. Public interest review map for the proposed Priority I project (3 of 10).

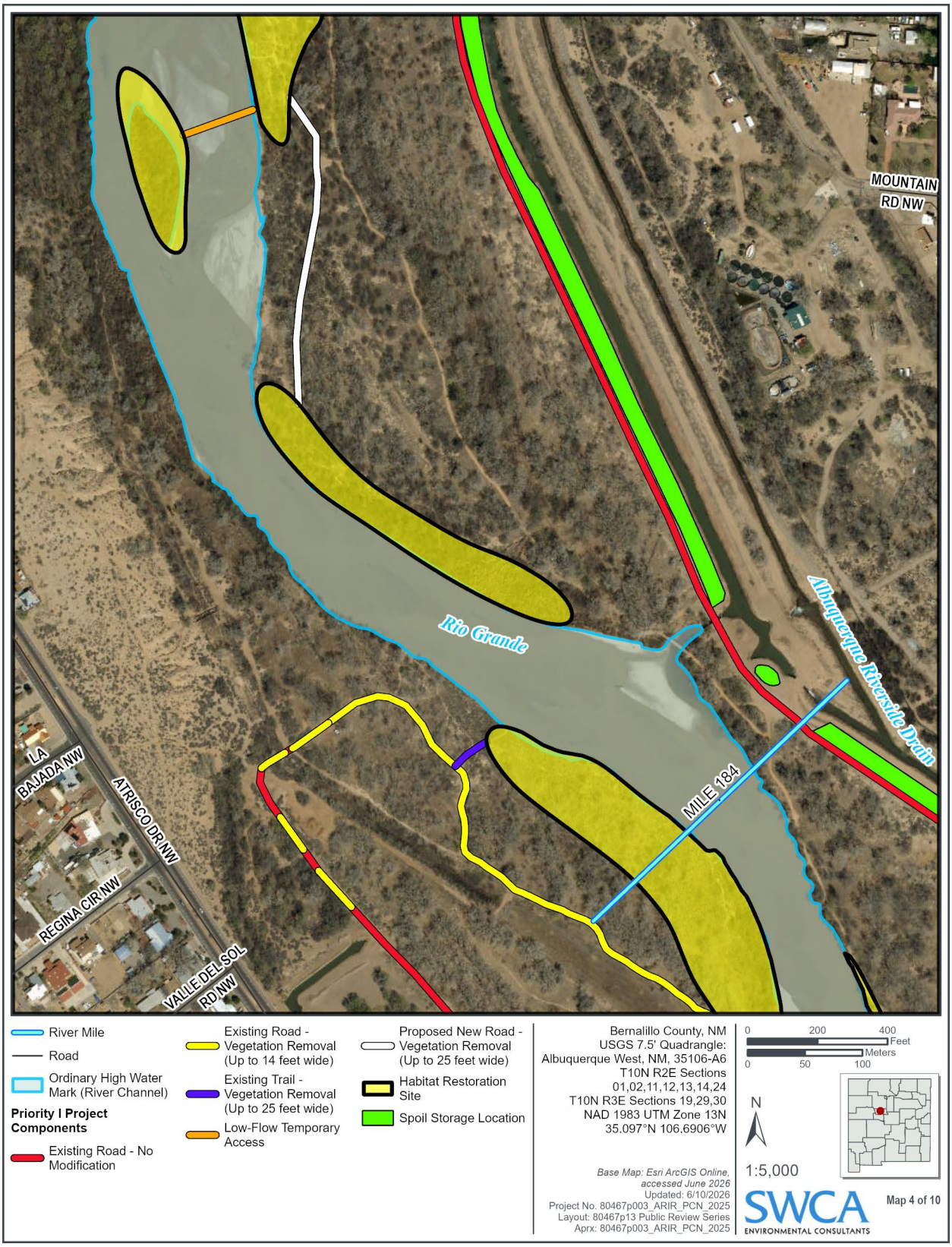


Figure A-4. Public interest review map for the proposed Priority I project (4 of 10).

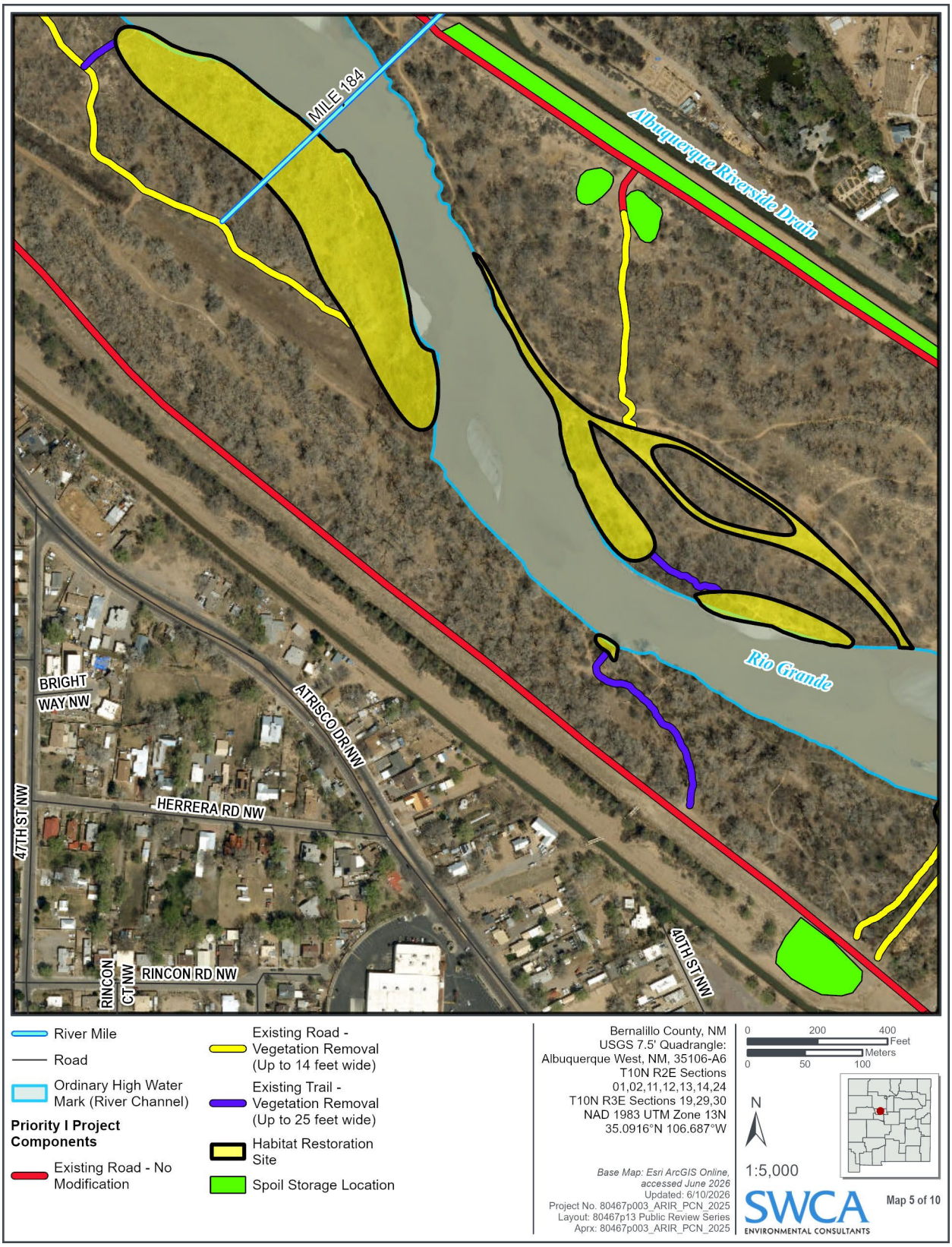


Figure A-5. Public interest review map for the proposed Priority I project (5 of 10).

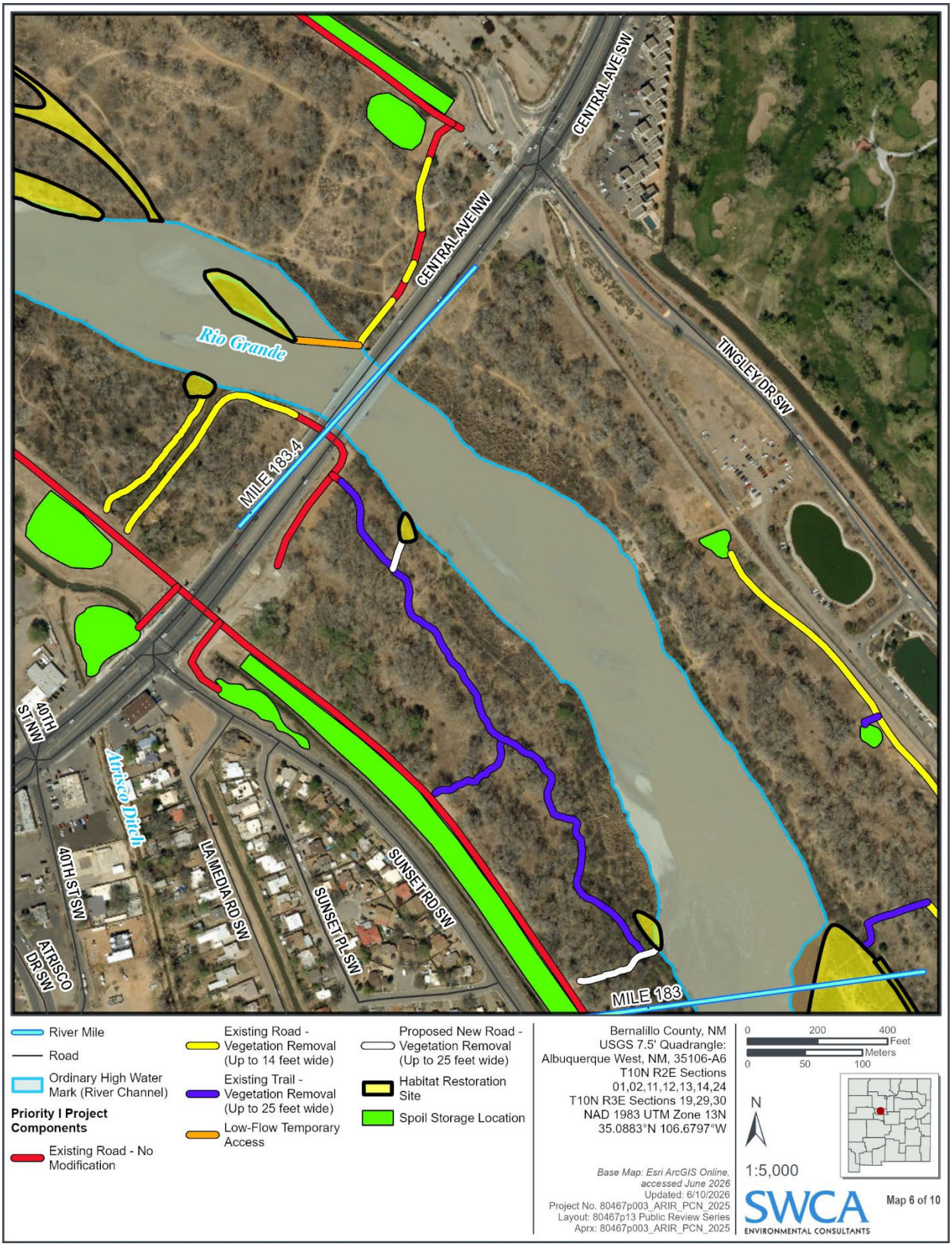


Figure A-6. Public interest review map for the proposed Priority I project (6 of 10).

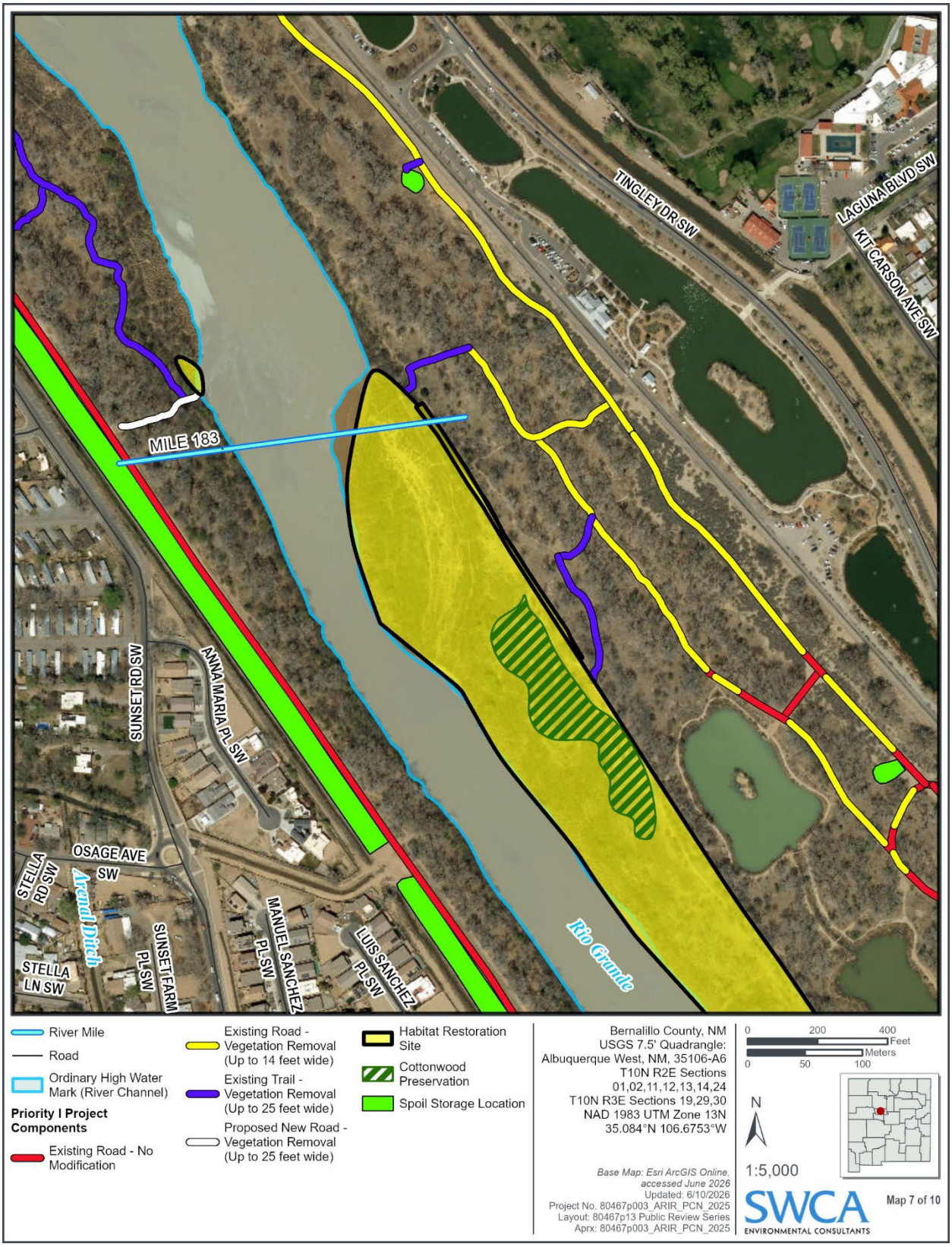


Figure A-7. Public interest review map for the proposed Priority I project (7 of 10).

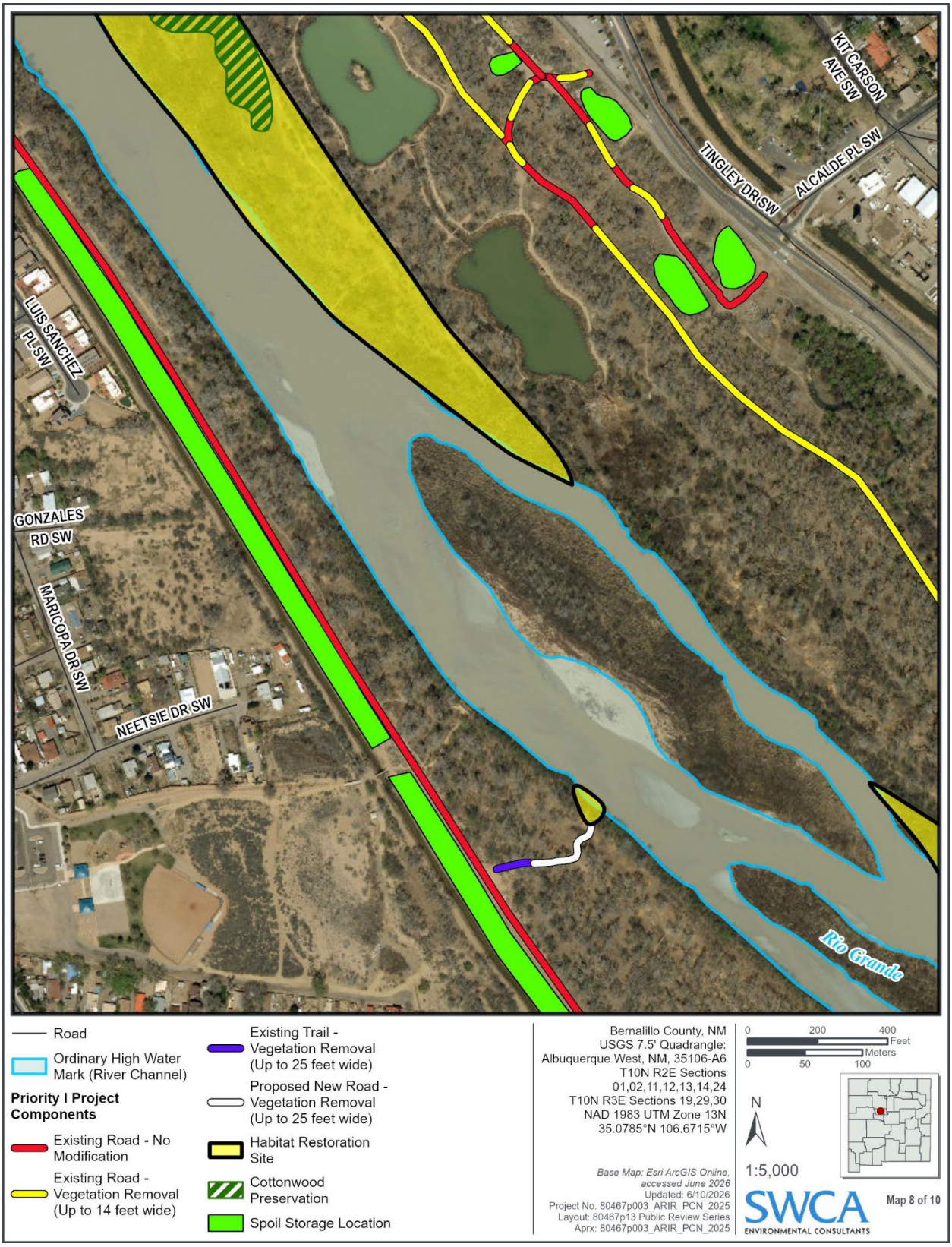


Figure A-8. Public interest review map for the proposed Priority I project (8 of 10).

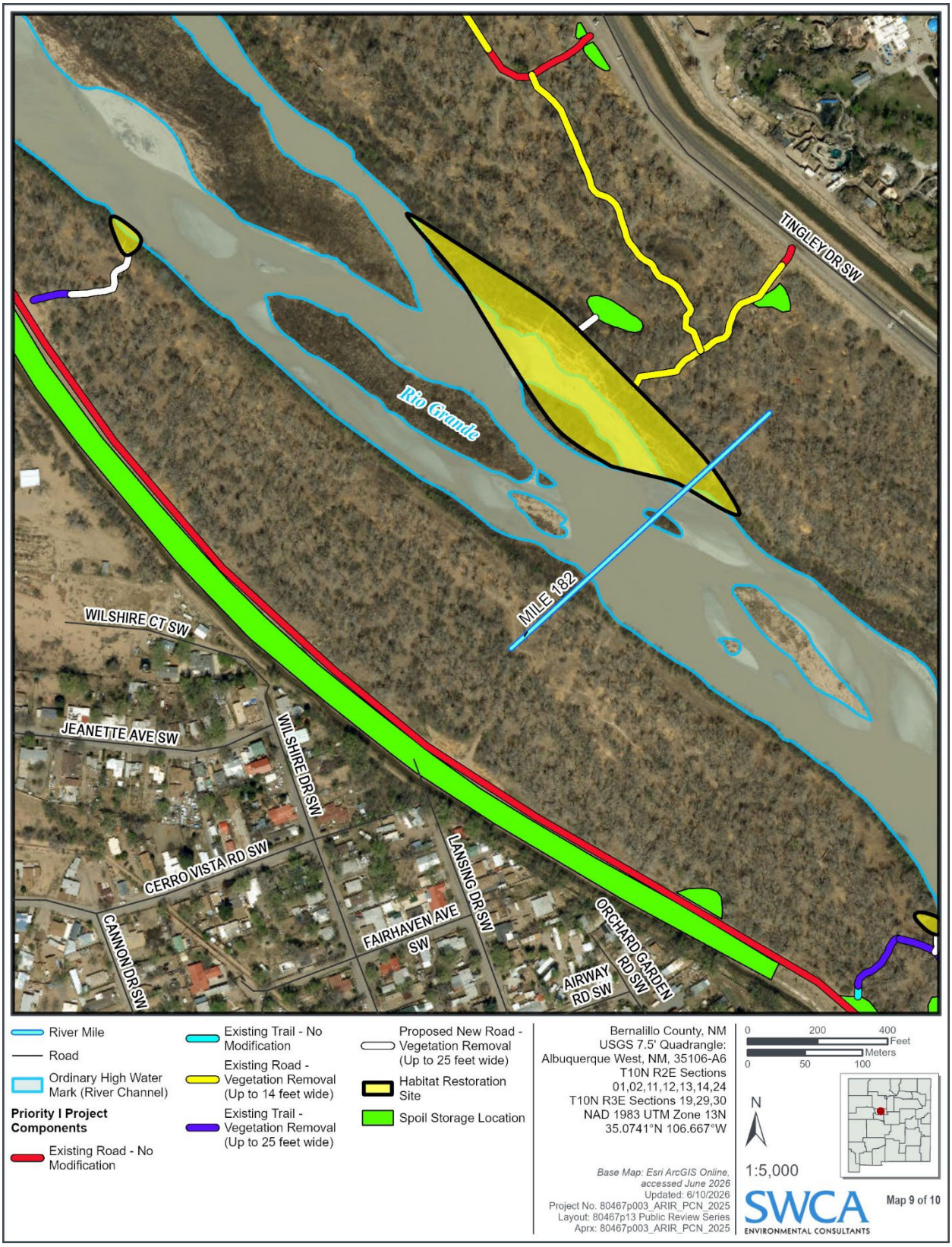


Figure A-9. Public interest review map for the proposed Priority I project (9 of 10).

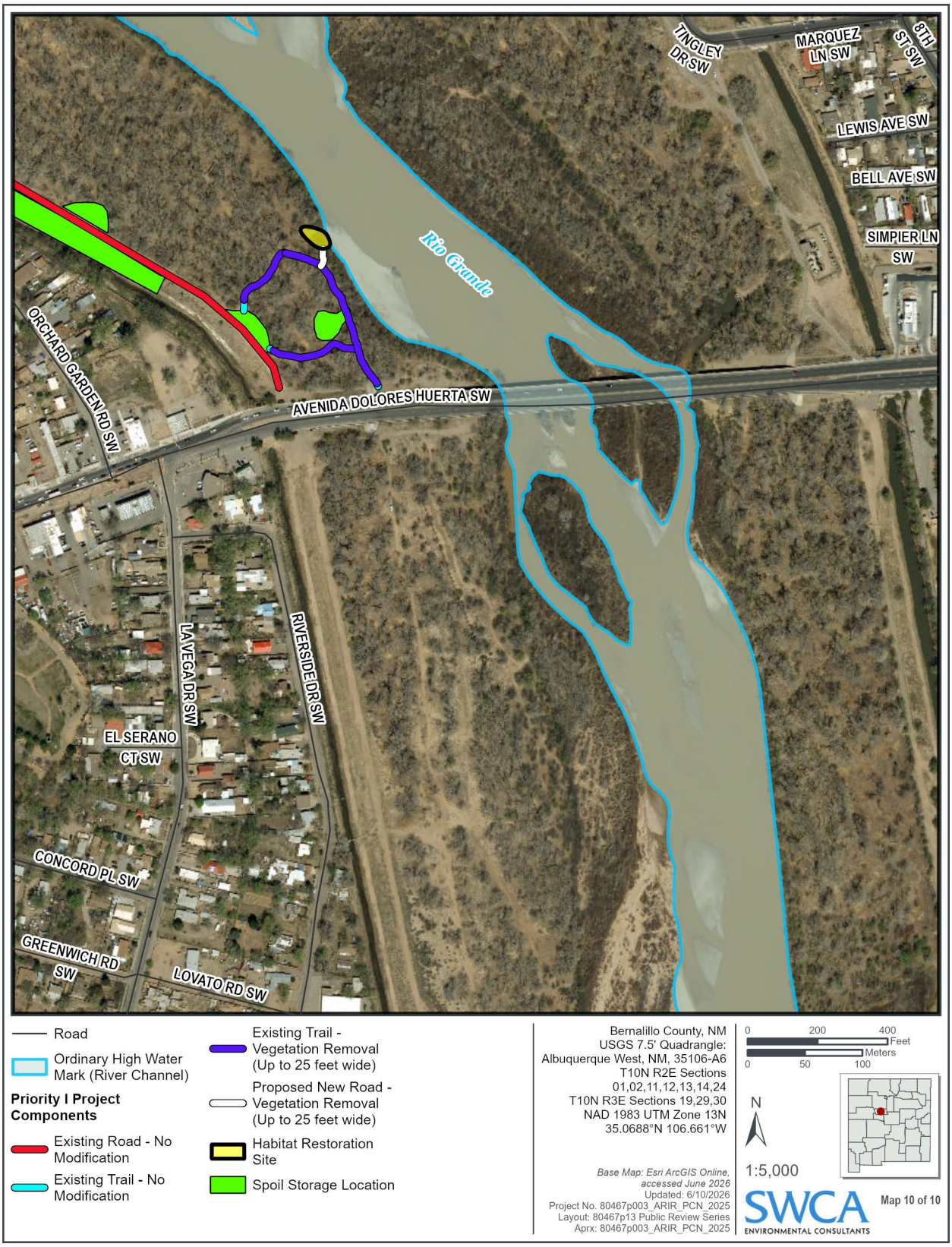


Figure A-10. Public interest review map for the proposed Priority I project (10 of 10).

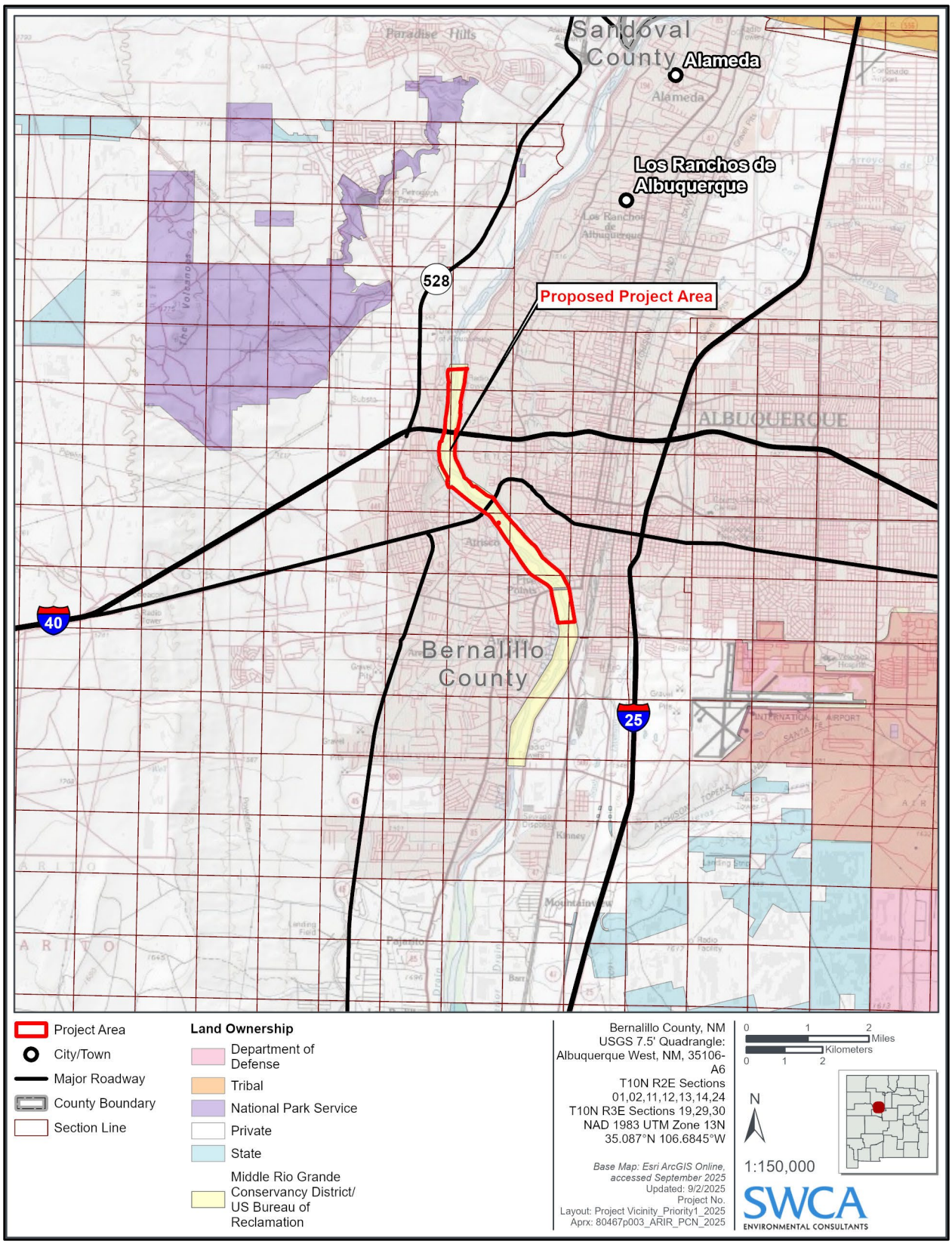


Figure A-11. Project vicinity.

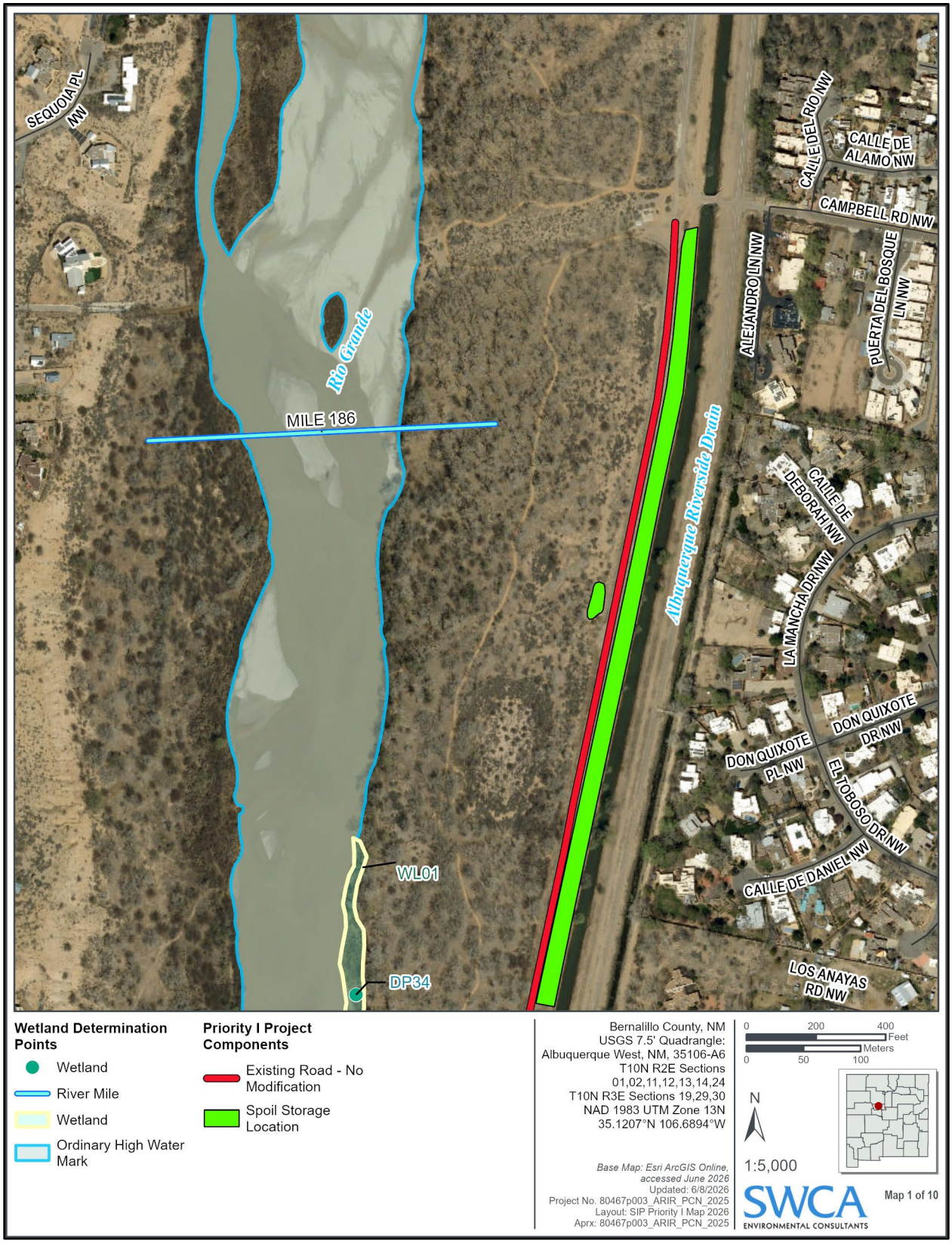


Figure A-12. Project components and jurisdictional WOTUS (map 1 of 10).

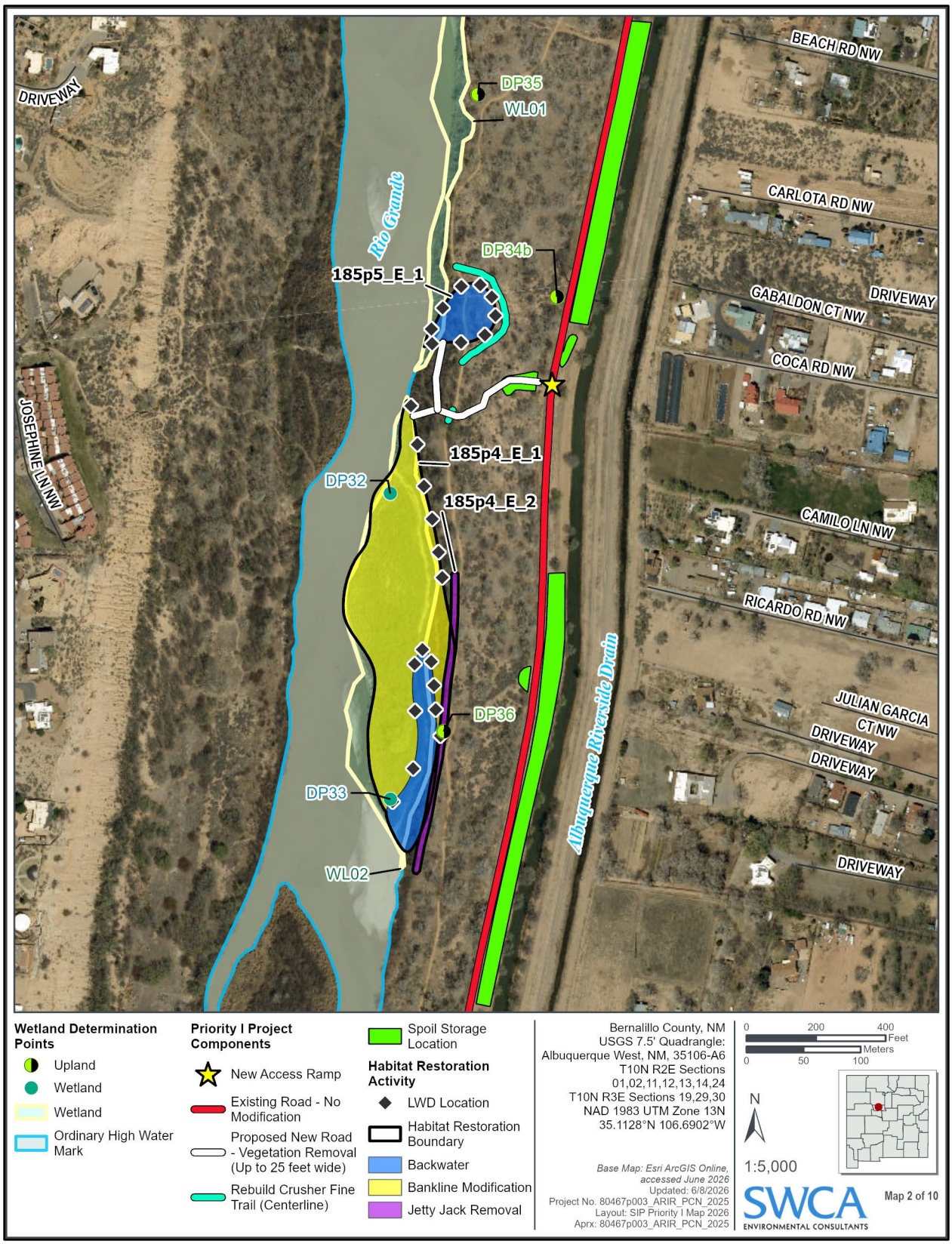


Figure A-13. Project components and jurisdictional WOTUS (map 2 of 10).

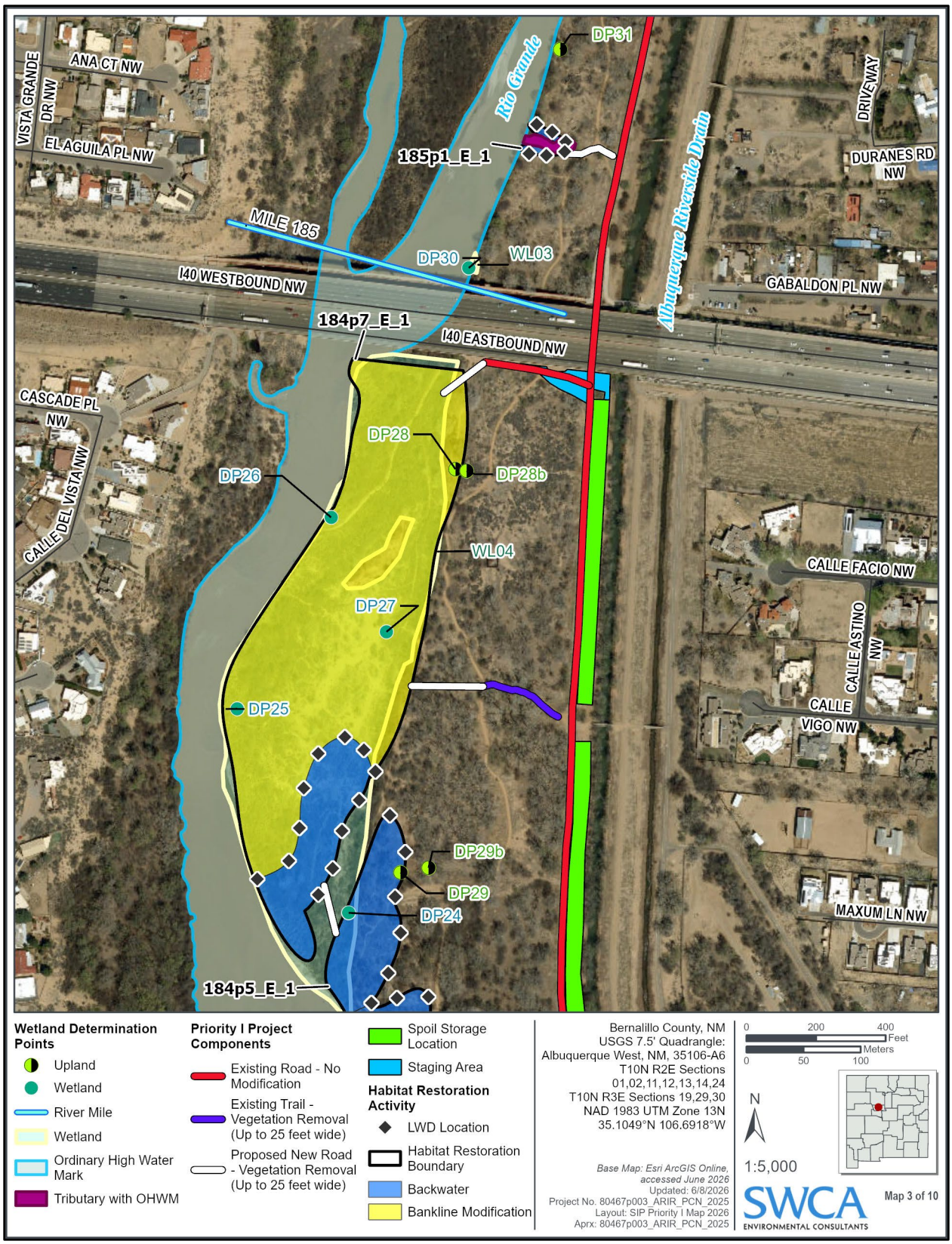


Figure A-14. Project components and jurisdictional WOTUS (map 3 of 10).

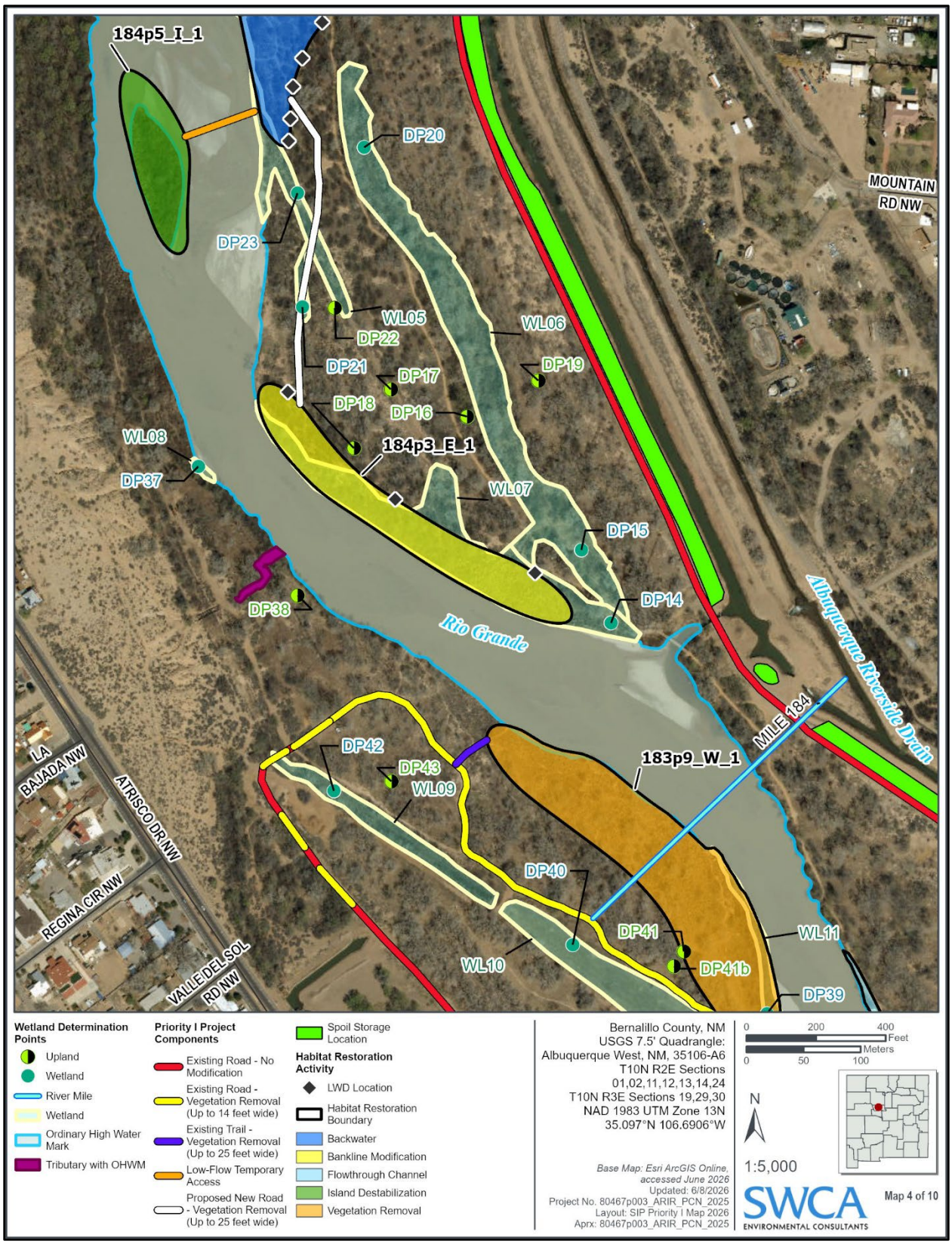


Figure A-15. Project components and jurisdictional WOTUS (map 4 of 10).

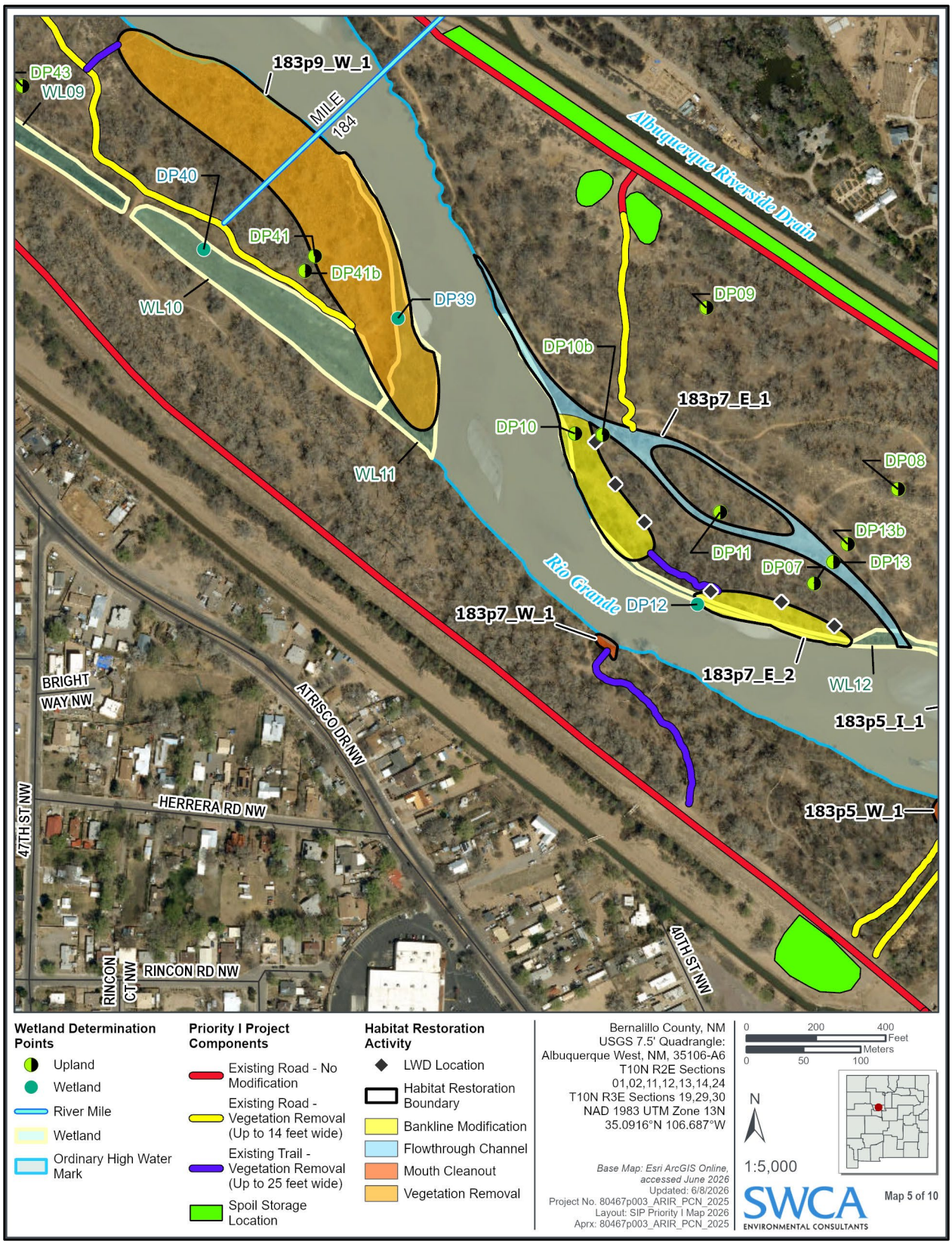


Figure A-16. Project components and jurisdictional WOTUS (map 5 of 10).

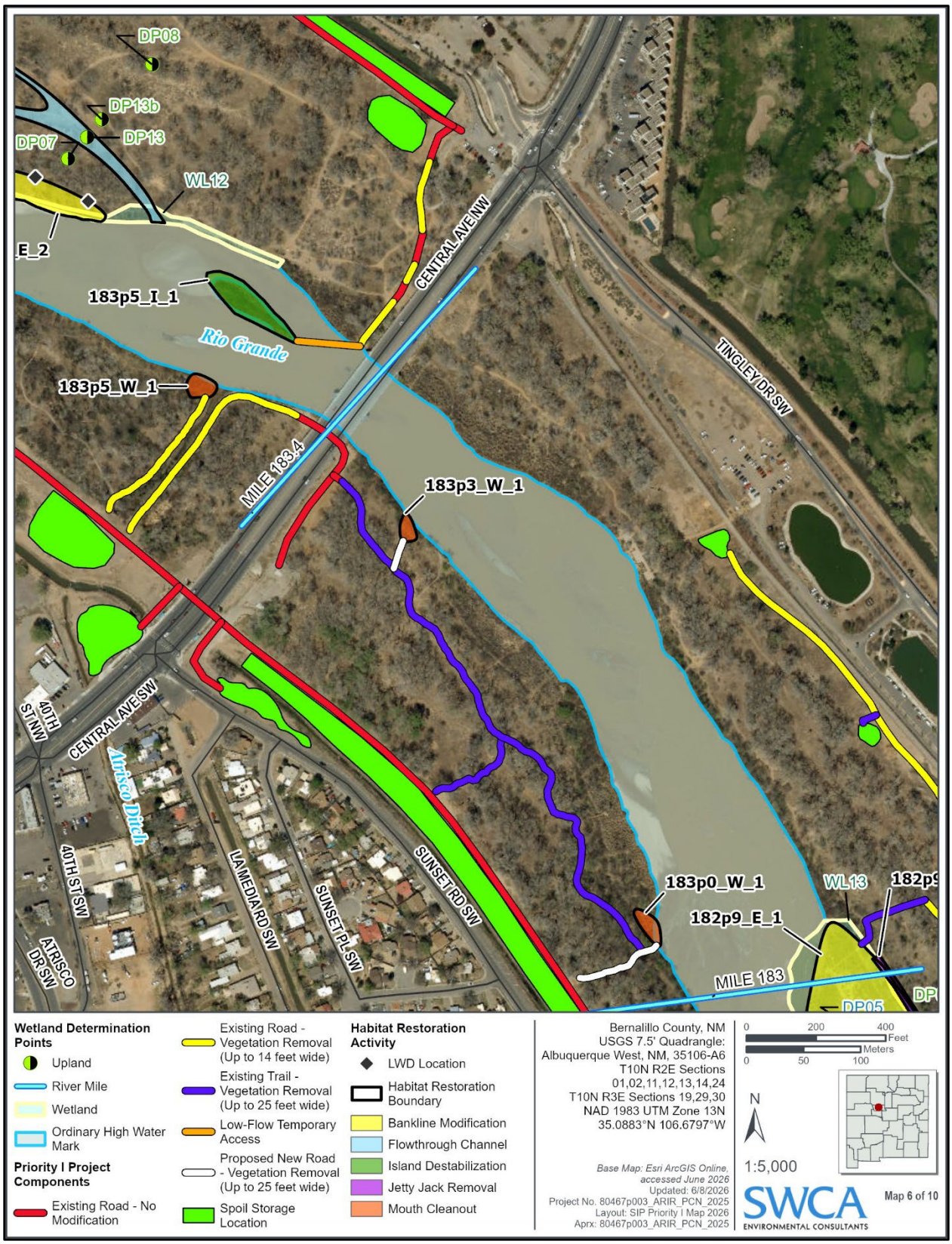


Figure A-17. Project components and jurisdictional WOTUS (map 6 of 10).

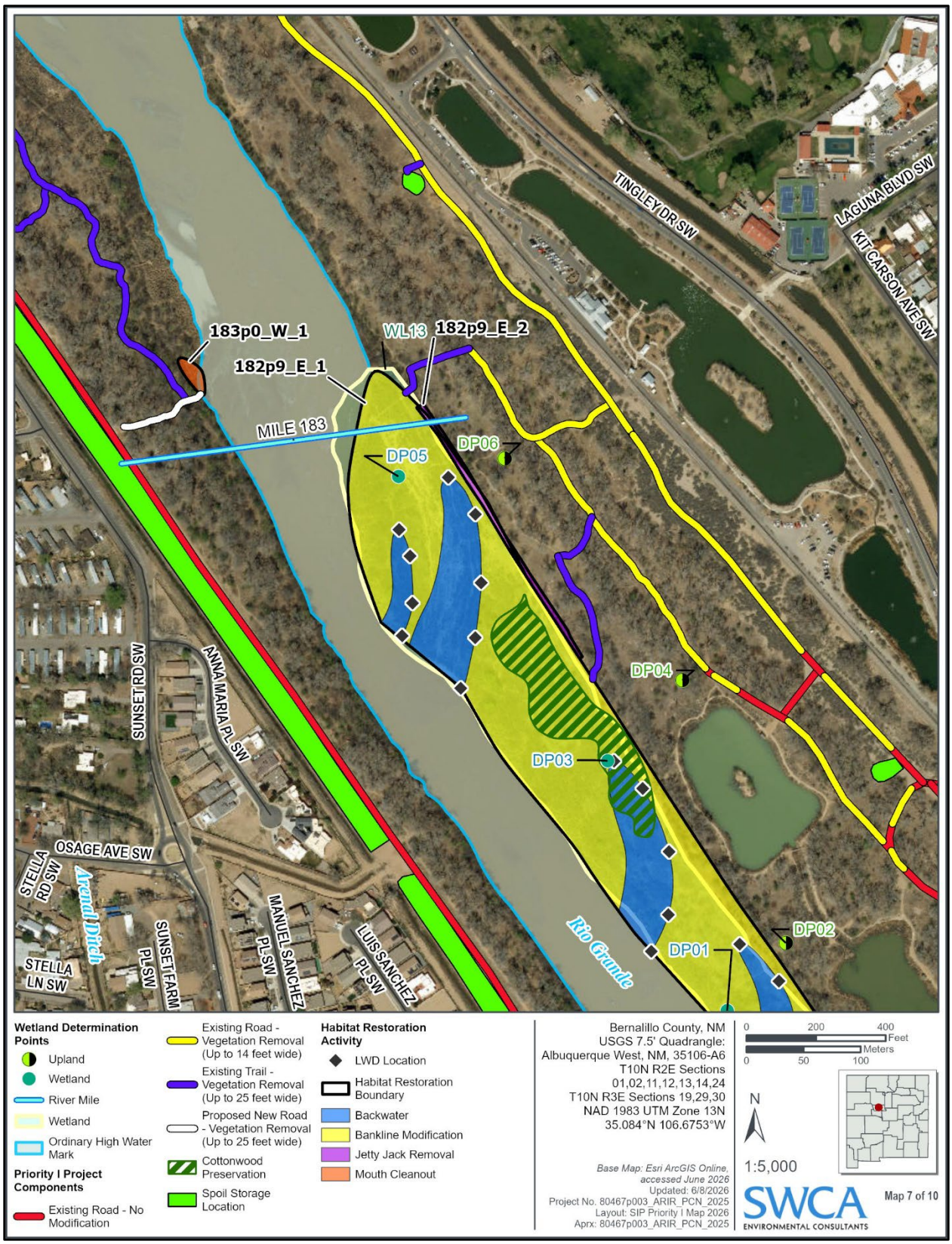


Figure A-18. Project components and jurisdictional WOTUS (map 7 of 10).

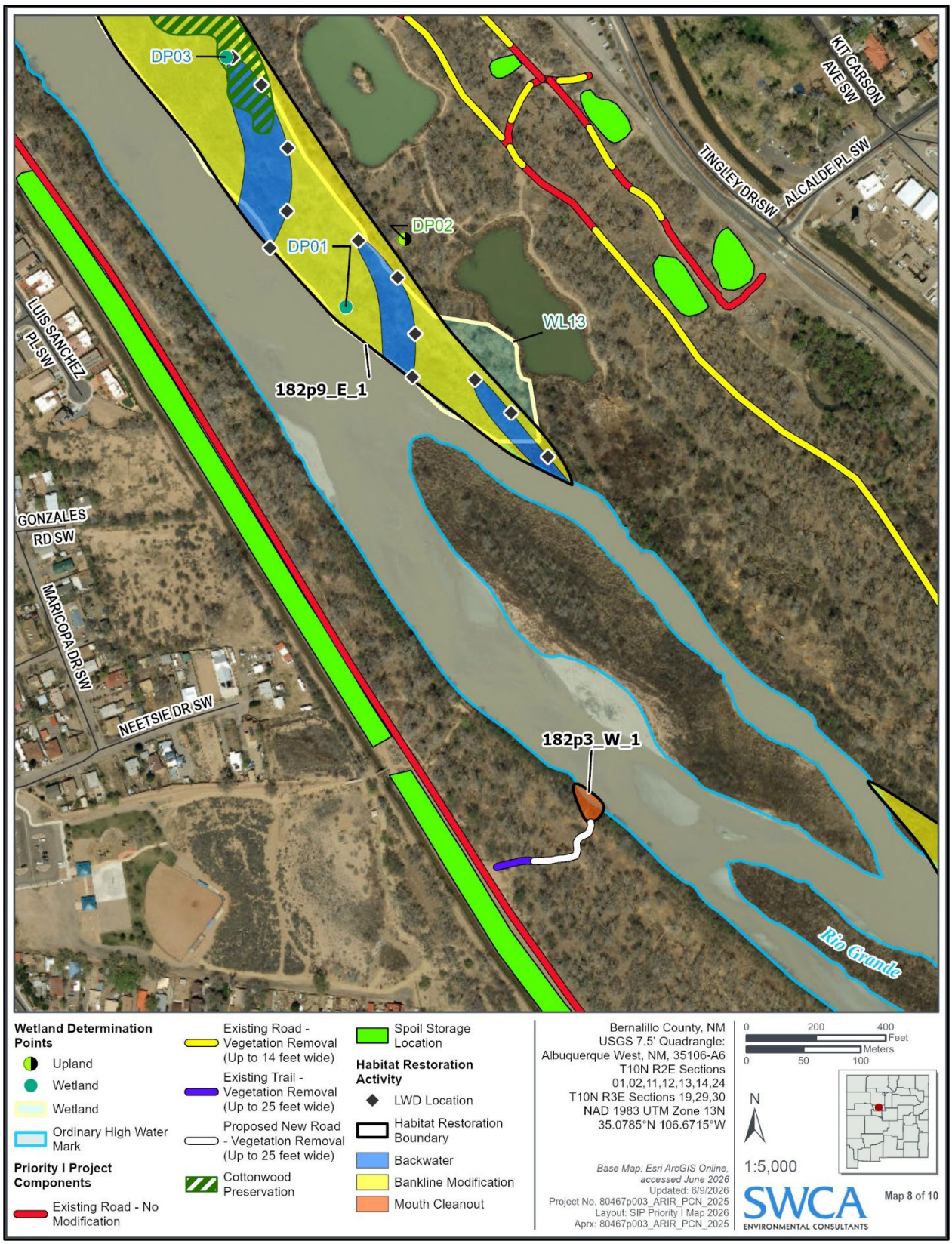


Figure A-19. Project components and jurisdictional WOTUS (map 8 of 10).

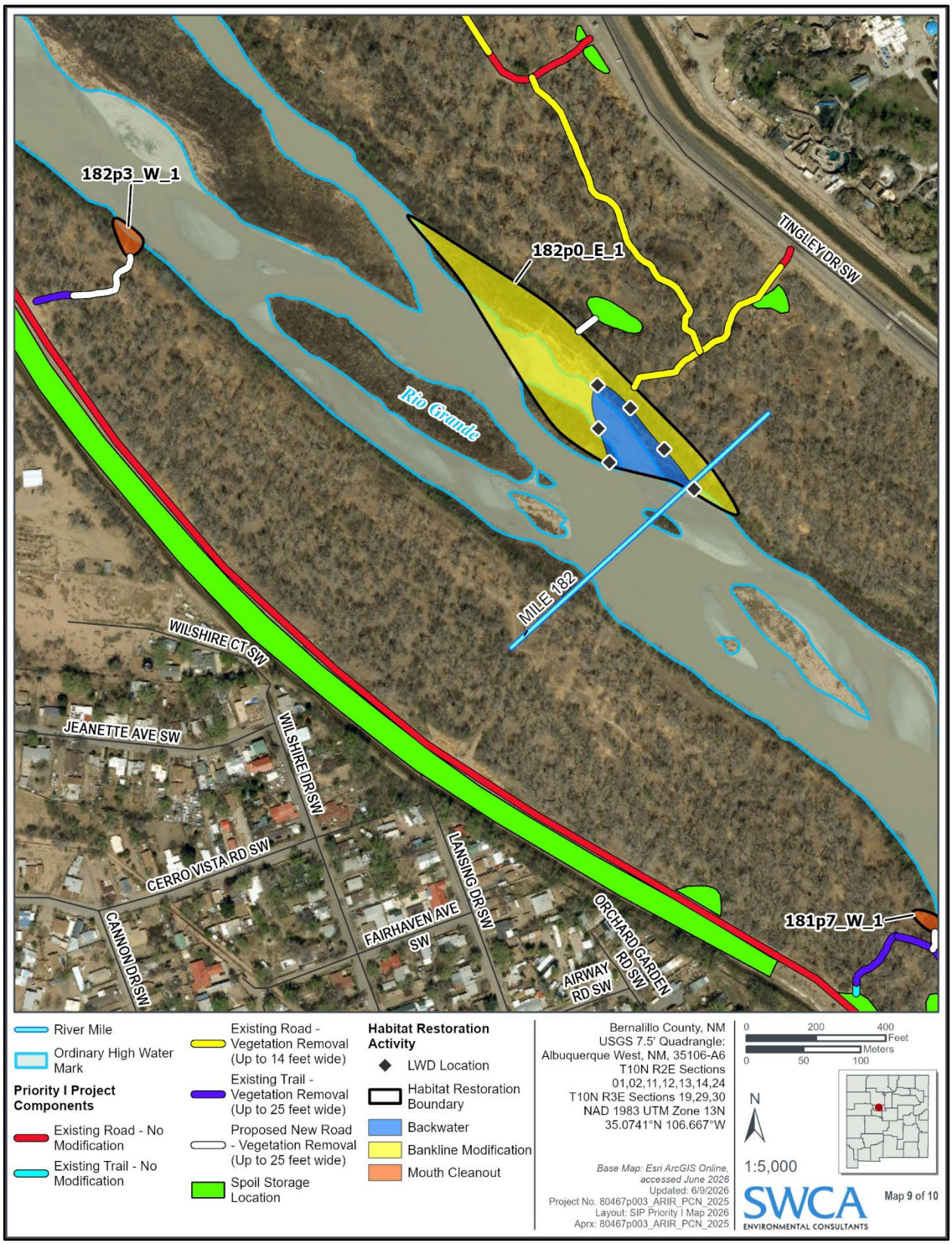


Figure A-20. Project components and jurisdictional WOTUS (map 9 of 10).

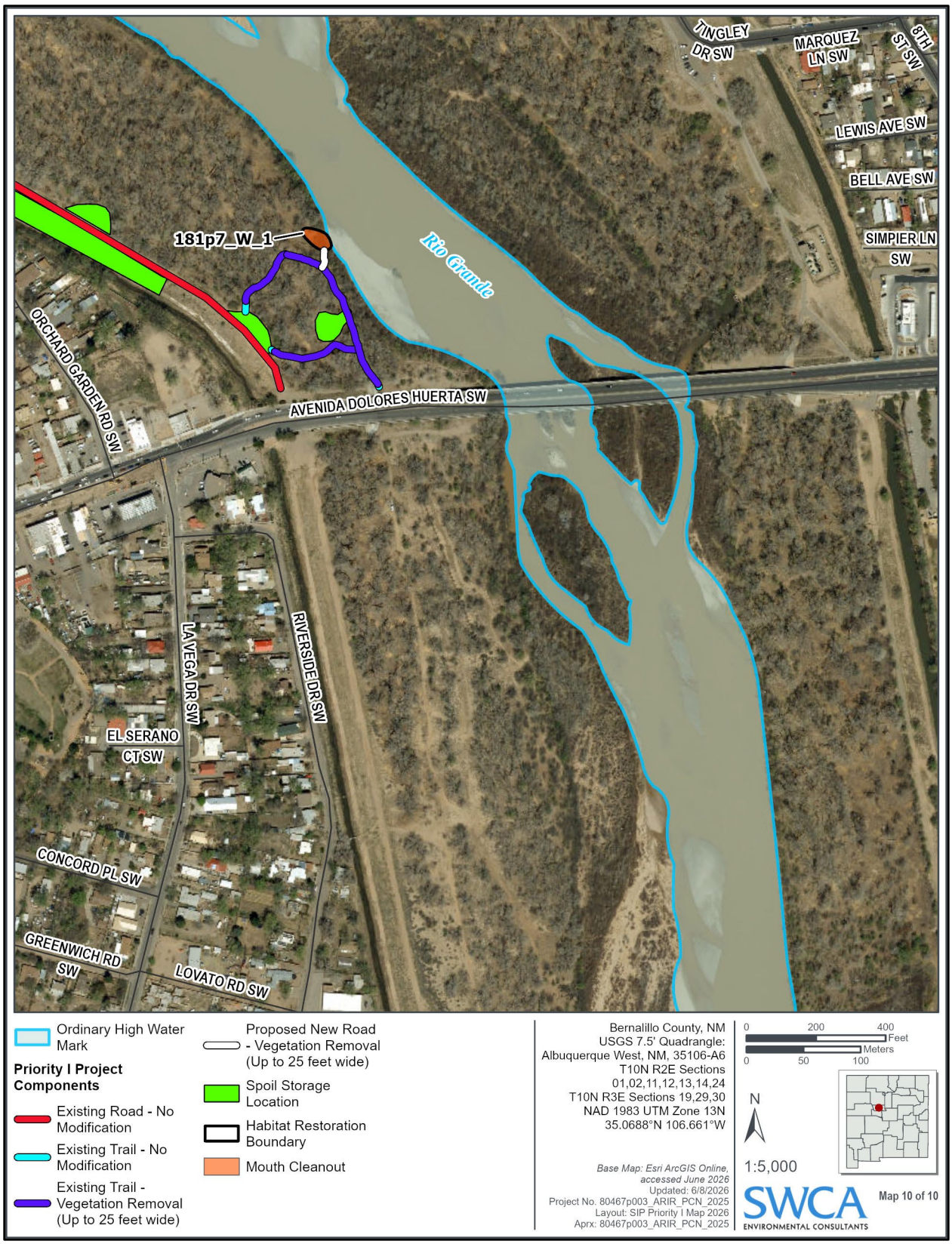


Figure A-21. Project components and jurisdictional WOTUS (map 10 of 10).



Figure A-22. Overview of ST01, an OHWM feature that would be impacted by the proposed project, facing upstream.



Figure A-23. Overview of ST02, an OHWM feature that would be impacted by the proposed project, facing downstream.



Figure A-24. Overview of the Rio Grande, an OHWM feature that would be impacted by the proposed project, facing upstream.



Figure A-25. Overview of WL01, a three-parameter wetland that would be impacted by the proposed project, facing north from DP34.



Figure A-26. Overview of WL02, a three-parameter wetland that would be impacted by the proposed project, facing south from DP32.



Figure A-27. Overview of WL04, a three-parameter wetland, facing north from DP27.



Figure A-28. Overview of WL04, a three-parameter wetland that would be impacted by the proposed project, facing north from DP25.



Figure A-29. Overview of WL05, a three-parameter wetland that would be impacted by the proposed project, facing south from DP23.



Figure A-30. Overview of WL06, a three-parameter wetland, facing east from DP20.



Figure A-31. Overview of WL07, a three-parameter wetland that would be impacted by the proposed project, facing north from DP14.



Figure A-32. Overview of WL08, a three-parameter wetland, facing north from DP37.



Figure A-33. Overview of WL09, a three-parameter wetland, facing east from DP42.



Figure A-34. Overview of WL10, a three-parameter wetland, facing north from DP40.



Figure A-35. Overview of WL11, a three-parameter wetland, facing north from DP 39.



Figure A-36. Overview of WL12, a three-parameter wetland that would be impacted by the proposed project, facing north from DP12.



Figure A-37. Overview of WL13, a three-parameter wetland that would be impacted by the proposed project, facing north from DP05.



Figure A-38. Overview of WL13, a three-parameter wetland that would be impacted by the proposed project, facing north from DP01.



Figure A-39. Representative photo of habitat conditions in WL04 near the location of a proposed new access road.



Figure A-40. Representative photo of habitat conditions in WL05 near the location of a proposed new access road.

APPENDIX B

Aquatic Resources Inventory Report

(Submitted Separately)

APPENDIX C

Restoration Plan for NMISC Priority I Restoration Project

(Submitted Separately)

APPENDIX D

Priority I Project Design Plans

(Submitted Separately)

APPENDIX E

404 (b)(1) Alternatives Analysis

(Submitted Separately)

APPENDIX F

Adjoining Properties

(Submitted Separately)

APPENDIX G

National Historic Preservation Act Section 106 Documentation
(Submitted Separately)

APPENDIX H

Letter of Inclusion Issued by USFWS

(Submitted Separately)

APPENDIX I

Section 401 Pre-Filing Meeting Request

Outlook

FW: [EXTERNAL] Re: Section 401 WQ Certification Request, NMISC Priority I Habitat Restoration Project

From Drew Spear <Drew.Spear@swca.com>
Date Wed 4/15/2026 6:45 AM
To Drew Spear <Drew.Spear@swca.com>

From: Drew Spear <Drew.Spear@swca.com>
Sent: Friday, April 10, 2026 6:55 AM
To: Klatt, Alan, ENV <Alan.Klatt@env.nm.gov>; Harimon, Jocelyn, ENV <jocelyn.harimon@env.nm.gov>
Cc: Marianna Hagbloom <Marianna.Hagbloom@swca.com>; Paige Marchus <pmarchus@swca.com>
Subject: Re: [EXTERNAL] Re: Section 401 WQ Certification Request, NMISC Priority I Habitat Restoration Project

Hello,

I look forward to our discussion later this morning. Below is an agenda for our 401 kickoff meeting. Let me know if you have anything to add or revise. Talk to yall later

CWA Section 401 Certification Kickoff

NMISC MRG Priority 1 Habitat Restoration Project

For CWA 404 Standard Individual Permit

04/10/2026 @ 11:00 am

- Introductions and meeting purpose
- Project overview and updates from last meeting
    - Permitting pathway update
- Overview of NMED Section 401 certification process for SIPs
    - What should we know going into it?
    - Any 401 specific documentation that would not already be included?
- Permit Timeline
    - SWCA submittal 05/15
    - Is 120 Days accurate for 401
- Project-specific considerations from NMED

- Questions and discussion
- Next steps and coordination moving forward

Drew Spear | he, him, his

Lead Water Resources Scientist

SWCA Environmental Consultants

130 Rock Point Dr. Ste. A

Durango, CO 81301

P (505) 924-0328

Drew.Spear@SWCA.com

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From: Drew Spear <Drew.Spear@swca.com>
Sent: Tuesday, April 7, 2026 3:20 PM
To: Klatt, Alan, ENV <Alan.Klatt@env.nm.gov>; Harimon, Jocelyn, ENV <jocelyn.harimon@env.nm.gov>
Cc: Marianna Hagbloom <Marianna.Hagbloom@swca.com>; Paige Marchus <pmarchus@swca.com>
Subject: Re: [EXTERNAL] Re: Section 401 WQ Certification Request, NMISC Priority I Habitat Restoration Project

Thank you, Alan and Jocelyn. I scheduled for Friday 04/10 from 11-12. You should see a Teams invite in your inbox. Talk to yall then.

Drew Spear | he, him, his

Lead Water Resources Scientist

SWCA Environmental Consultants

130 Rock Point Dr. Ste. A

Durango, CO 81301

P (505) 924-0328

Drew.Spear@SWCA.com

SWCA | 100% Employee OWNED

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From: Klatt, Alan, ENV <Alan.Klatt@env.nm.gov>
Sent: Tuesday, April 7, 2026 12:01 PM
To: Harimon, Jocelyn, ENV <jocelyn.harimon@env.nm.gov>; Drew Spear <Drew.Spear@swca.com>
Cc: Marianna Hagbloom <Marianna.Hagbloom@swca.com>; Paige Marchus <pmarchus@swca.com>
Subject: RE: [EXTERNAL] Re: Section 401 WQ Certification Request, NMISC Priority I Habitat Restoration Project

Hello,

I'm available:

Friday 4/10 from 9-10 or 11-12
Monday 4/13 from 12:30-4:15

Thank you,
Alan

Alan Klatt
Implementation & Restoration Team Leader
505-819-9623
Alan.Klatt@env.nm.gov

Surface Water Quality Bureau
NM Environment Department
1190 South Saint Francis Drive
Santa Fe, NM 87502
https://www.env.nm.gov/surface-water-quality/

From: Harimon, Jocelyn, ENV <jocelyn.harimon@env.nm.gov>
Sent: Tuesday, April 7, 2026 8:48 AM
To: Drew Spear <Drew.Spear@swca.com>; Klatt, Alan, ENV <Alan.Klatt@env.nm.gov>
Cc: Marianna Hagbloom <Marianna.Hagbloom@swca.com>; Paige Marchus <pmarchus@swca.com>
Subject: Re: [EXTERNAL] Re: Section 401 WQ Certification Request, NMISC Priority I Habitat Restoration Project

Good morning,

Friday 4/10 from 9-10 or 11-12
Monday 4/13 from 9-10 or after 12:30

These times would all work for my schedule. Thank you for reaching out.

Jocelyn

Jocelyn Harimon
Water Resources Professional II
Surface Water Quality Bureau
New Mexico Environment Department
Cell: (505) 629-2140
jocelyn.harimon@env.nm.gov
https://www.env.nm.gov/surface-water-quality/
Science | Innovation | Collaboration | Compliance

From: Drew Spear <Drew.Spear@swca.com>
Sent: Tuesday, March 31, 2026 10:32 AM
To: Klatt, Alan, ENV <Alan.Klatt@env.nm.gov>; Harimon, Jocelyn, ENV <jocelyn.harimon@env.nm.gov>
Cc: Marianna Hagbloom <Marianna.Hagbloom@swca.com>; Paige Marchus <pmarchus@swca.com>
Subject: Re: [EXTERNAL] Re: Section 401 WQ Certification Request, NMISC Priority I Habitat Restoration Project

Hello All,

Thank you for your patience on this project while we have sorted through Section 404 permitting with USACE. I wanted to update you all that we are in the process of preparing an application for a Standard Individual Permit for the Priority 1 MRG project and hoping to submit the package for Section 401 Certification on 05/18.

It would be great to set up a meeting to kick off this new 401 pathway and discuss the process and expectations. Below are some windows that Marianna and I have available this week. Alan and Jocelyn do any of these times work for you?

Tuesday 03/31: 1-2, after 2:30

Wednesday 04/01: 9-12, 2-3

Thursday 04/02: 11:30-1, after 2

Friday 04/03: 9-10, 1130-1230, after 1:30

Also, I will be reaching out later to schedule a meeting with USACE to discuss the Channel Maintenance Zones, which was a key topic that we presented after we last met. We were able to answer questions that NMED sent over on 11/26/25, but we never returned those responses. I will revisit and send over for your review before we hold this meeting.

Thank you

Drew

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