

# RECLAMATION

*Managing Water in the West*

## DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT FOR THE COMMUNITY OF CHIMAYÓ WATER SYSTEM



U.S. Department of the Interior  
Bureau of Reclamation  
Albuquerque Area Office  
Environment Division  
Albuquerque, New Mexico

September 2006

## **MISSION STATEMENTS**

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Front Cover Photo Caption – Photo showing the Community of Chimayó, Arriba County, NM; June, 2005

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**U.S. Department of the Interior**

**BUREAU OF RECLAMATION**  
**Albuquerque Area Office**  
**Albuquerque, New Mexico**

*Finding of No Significant Impact*

**THE COMMUNITY OF CHIMAYÓ WATER SYSTEM PROJECT**  
**Arriba and Santa Fe Counties, New Mexico**

\_\_\_\_\_  
Manager, Environment Division

\_\_\_\_\_  
Date

\_\_\_\_\_  
Area Manager, Albuquerque Area Office

\_\_\_\_\_  
Date

AAO-06-007  
FONSI Number

## **BACKGROUND**

The Greater Chimayó Mutual Domestic Water Consumers Association (GCMDWCA) of Chimayó, New Mexico (Rio Arriba and Santa Fe Counties) proposes to develop a community drinking water supply system. The project is a community water system consisting of water production facilities, water distribution, and storage facilities (storage tanks and associated pipe lines). A majority of the funding for the project will come from the Environmental Protection Agency (EPA). Since funding is being provided by EPA, the proposed project is considered a federal action requiring compliance with the National Environmental Policy Act (NEPA). Consequently, EPA prepared an Environmental Information Document (EID), dated September 2004, and a Finding of No Significant Impact (FONSI), dated August 4, 2005. The EID addresses the environmental conditions associated with supply wells, storage tanks, and distribution water lines that would be installed along existing roads in the public right-of-way.

Reclamation funds would also be provided by Public Law 108-354 for a portion of GCMDWCA's community water system. These funds would be considered a federal action for Reclamation requiring compliance with the National Environmental Policy Act (NEPA).

Part 516 of the Department of the Interior's Departmental Manual (DM) pertains to NEPA compliance. 516 DM 3.6 states that an Environmental Assessment (EA) prepared by another agency may be adopted if, upon independent evaluation by the responsible official, it is found to comply with the DM and relevant provisions of the Council on Environmental Quality (CEQ) National Environmental Policy Act implementing regulations, 40 CFR 1500-1508.

Reclamation has reviewed EPA's EID and FONSI and has found that a section on Indian Trust Assets (ITA) has not been included. The Department of Interior's policy in 516 DM 3.13.5 requires an ITA section in the EID. As a result, a supplement to the EID has been prepared prior to the preparation of this FONSI.

## **SUMMARY OF THE PROPOSED ACTION**

The Bureau of Reclamation, Albuquerque Area Office, proposes to provide funds for the following features of the proposed water development for GCMDWCA:

- Water Loading Station (referred to as Emergency Storage in the EID).
- Booster Station No. 2 (referred to in the EID as part of the distribution system).
- 1450 feet of 8-inch water lines on road number RA 100.
- 4050 feet of 12-inch water lines on road numbers RA 88, 87, and 101.
- Application of base course on gravel roads numbered SF94, 94A, SF 92A, RA 101, and RA 103.

## **ENVIRONMENTAL IMPACTS RELATED TO THE RESOURCES OF CONCERN**

As a result of analyzing the effects of the proposed action in this EA, the following summarizes the reasons why there would be a Finding of No Significant Impact:

### Indian Trust Assets (ITAs)

There are no ITAs within the project area or within the vicinity to be affected.

### Cultural Resources

In an effort to insure that cultural resources affected by the proposed action of this supplement have been considered, the following describes Reclamation's involvement regarding cultural resources:

The Booster Station, Water Fill Station, construction of two water lines, and construction of a base course over existing roads were reviewed by a Reclamation archeologist. Based upon the cultural resource survey of the project (prepared by Taschek Environmental Consulting, dated May 2004), the only cultural property falling within this portion of the project is the Acequia del Distrito, which is eligible for the National Register of Historic Places. Construction of the water pipelines will follow the concurred recommendation by the New Mexico State Historic Preservation Office (SHPO) of boring under the acequia for installation of the lines.

### **ENVIRONMENTAL COMMITMENTS**

Should evidence of possible scientific, prehistorical, historical, or archeological data be discovered during the course of this action, work shall cease at that location and the Area archaeologist shall be notified by phone immediately, with the location and nature of the findings. Care shall be exercised so as not to disturb or damage artifacts or fossils uncovered during operations, and the proponents shall provide such cooperation and assistance as may be necessary to preserve the findings for removal or other disposition by the Government.

Any person who knows or has reason to know that he or she has inadvertently discovered human remains on Federal or tribal lands, must provide immediate telephone notification of the inadvertent discovery, with written confirmation, to the responsible Federal agency official with respect to Federal lands, and, with respect to tribal lands, to the responsible Indian tribe official. The requirement is prescribed under the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3042) of November 1990 and National Historic Preservation Act, Section 110(a)(2)(E)(iii) (P.L. 102-575, 106 Stat. 4753) of October 1992.

### **COORDINATION**

Reclamation's Archeologist reviewed the EID's archeological survey of the proposed project. A field trip was conducted and the New Mexico State Historic Preservation Office (SHPO) was contacted by telephone to discuss the project. A letter dated September 13, 2006, to the SHPO office requested concurrence for portions of the project funded by Reclamation. Construction activities will not begin until the SHPO have concurred in a letter to Reclamation.

## **CONCLUSION**

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and based on the analysis in the supplemental EA and the EID, Reclamation has determined that EPA's EID and FONSI may be adopted. In addition, implementing the proposed action of Reclamation's supplement to the EID would not result in a significant impact on the human environment and does not require the preparation of an environmental impact statement.

## Table of Contents

<b>Chapter 1. Purpose and Need for Action.....</b>	<b>1</b>
1.1 Introduction:.....	1
1.2 Proposed Action.....	1
1.3 Need for the Action.....	4
1.4 Purpose of the Action.....	4
1.5 Relevant Statutes, Regulations, and other Plans.....	3
1.6 Issues, Public Scoping .....	4
<b>Chapter 2. Alternatives .....</b>	<b>4</b>
2.1 Description of the No Action Alternative.....	3
2.2 Description of the Proposed Action Alternative.....	3
<b>Chapter 3. Affected Environment .....</b>	<b>5</b>
3.1 Introduction.....	5
3.1.1 Indian Trust Assets .....	6
3.1.2 Cultural Resources .....	6
3.2 Irreversible and Irretrievable Commitment of Resources of the Proposed Action.....	6
3.3 Cumulative Impacts .....	6
<b>Chapter 4. Environmental Commitments.....</b>	<b>5</b>
<b>Chapter 5. Consultation and Coordination.....</b>	<b>7</b>
<b>Chapter 6. List of Preparers .....</b>	<b>7</b>
<b>Chapter 7. References.....</b>	<b>7</b>
<b>Appendix A - Public Law 108- 354.....</b>	<b>7</b>
<b>Appendix B - Water Supply and Booster Station Drawings.....</b>	<b>10</b>
<b>Appendix C - Correspondance.....</b>	<b>14</b>



## Acronyms and Abbreviations

EA	Environmental Assessment
DM	Departmental Manual
ITAs	Indian Trust Assets
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMED	New Mexico Environmental Department
NMSHPO	New Mexico State Historic Preservation Office
Reclamation	Bureau of Reclamation



## Chapter 1. PURPOSE AND NEED FOR ACTION

### 1.1 Introduction:

The Greater Chimayó Mutual Domestic Water Consumers Association (GCMDWCA) of Chimayó, New Mexico (Rio Arriba and Santa Fe Counties) proposes to develop a community drinking water supply system. The project is a community water system consisting of water production facilities, water distribution, and storage facilities (storage tanks and associated pipe lines). A majority of the funding for the project will come from the Environmental Protection Agency (EPA). Since funding is being provided by EPA, the proposed project is considered a federal action requiring compliance with the National Environmental Policy Act (NEPA). Consequently, EPA prepared an Environmental Information Document (EID), dated September 2004, and a Finding of No Significant Impact (FONSI), dated August 4, 2005. The EID addresses the environmental conditions associated with supply wells, storage tanks, and distribution water lines that would be installed along existing roads in the public right-of-way.

Reclamation funds would also be provided by Public Law 108-354 for a portion of GCMDWCA's community water system. These funds would be considered a federal action for Reclamation requiring compliance with the National Environmental Policy Act (NEPA).

Part 516 of the Department of the Interior's Departmental Manual (DM) pertains to NEPA compliance. 516 DM 3.6 states that an Environmental Assessment (EA) prepared by another agency may be adopted if, upon independent evaluation by the responsible official, it is found to comply with the DM and relevant provisions of the Council on Environmental Quality (CEQ) National Environmental Policy Act implementing regulations, 40 CFR 1500-1508.

Reclamation has reviewed EPA's EID and FONSI and has found that a section on Indian Trust Assets (ITA) has not been included. The Department of Interior's policy in 516 DM 3.13.5 requires an ITA section in the EID. As a result, this supplement to the EID has been prepared prior to the preparation of this FONSI.

### 1.2 Proposed Action

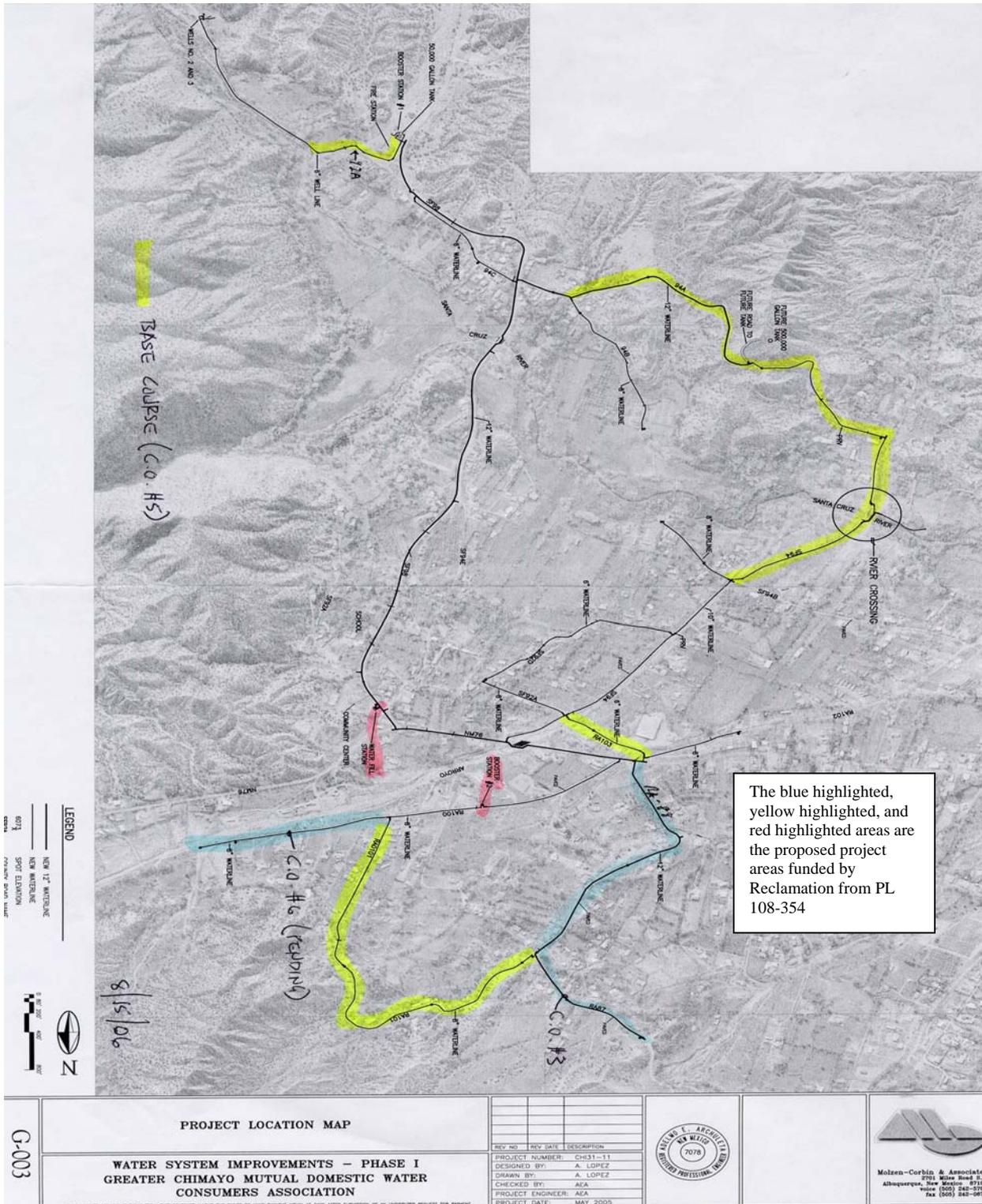
The Bureau of Reclamation, Albuquerque Area Office, proposes to provide funds for the following features of the proposed water development for GCMDWCA (All of the proposed features are identified on the map on page 2.):

- Water Loading Station (referred to as Emergency Storage in the EID).
- Booster Station No. 2 (referred to in the EID as part of the distribution system).
- 1450 feet of 8-inch water lines on road number RA 100.
- 4050 feet of 12-inch water lines on road numbers RA 88, 87, and 101.
- Apply base course on gravel roads numbered SF94, 94A, SF 92A, RA 101, and RA 103.

**The following map shows the general location of the City of Chimayó New Mexico.**



The following map/aerial photo shows the total layout of the Community of Chimayó (Chimayó) proposed water distribution system project analyzed in the EID.



G-003	<b>PROJECT LOCATION MAP</b>														
	<b>WATER SYSTEM IMPROVEMENTS - PHASE I</b> <b>GREATER CHIMAYO MUTUAL DOMESTIC WATER</b> <b>CONSUMERS ASSOCIATION</b>														
<small>VOID OF FURTHER PAYMENT PROVIDED THIS CONTRACT ALLOWS THE OWNER TO MAKE PAYMENT WITHIN 60 DAYS AFTER SUBMISSION OF AN UNDISPUTED REQUEST FOR PAYMENT.</small>		<table border="1"> <thead> <tr> <th>REV. NO.</th> <th>REV. DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV. NO.	REV. DATE	DESCRIPTION										<p>PROJECT NUMBER: CM31-111                  DESIGNED BY: A. LOPEZ                  DRAWN BY: A. LOPEZ                  CHECKED BY: AEA                  PROJECT ENGINEER: AEA                  PROJECT DATE: MAY 2005</p>
REV. NO.	REV. DATE	DESCRIPTION													

### 1.3 Need for the Action

The New Mexico Environment Department (NMED) consistently detected bacterial and nitrate contamination in drinking water supplies in Chimayó. In addition, Chimayó needs a water system for fire control. The EID prepared by Taschek Environmental Consulting for EPA describes in more detail the need for the proposed project.

### 1.4 Purpose of the Action

The objective of the proposed action would be to develop and construct a community water system that will provide safe and reliable drinking water for the current and future residents of Chimayó. Development of deeper and more reliable wells will improve the quality of water now and in the future. Reclamation would provide funds for a portion of this community water system described in Chapter 2 in more detail as the proposed action.

### 1.5 Relevant Statutes, Regulations, and other Plans

Reference is made to Public Law 108-354 attached in Appendix A.

### 1.6 Issues, Public Scoping

A public information meeting was held Tuesday, December 9, 2003, at the Holy Family Church in Chimayó. Information regarding this public meeting is found in the EID.

## Chapter 2. ALTERNATIVES

### 2.1 Description of the No Action Alternative

If no funding would be provided for the construction of a water system, no additional impacts to the environment would take place.

### 2.2 Description of the Proposed Action Alternative

GCMDWCA would construct the following portions of the community water system with Reclamation funds (refer to the map on page 2):

- Water Loading Station (referred to as Emergency Storage referred to here in the EID)

Chimayó would construct a twelve foot square concrete block building inside a locked six foot high chain link fence. This station would allow residents without water to access a source of potable water.

The station would be located in the Benny Chavez Community Center parking lot adjacent to County Road SF 98 (refer to Appendix B).

- Booster Station No. 2 (referred to in the EID as part of the distribution system)

Chimayó would also construct a twelve foot square concrete block building located inside a locked six foot high chain link fence. The facility would be connected to the distribution system (8-inch diameter water line). In addition, this station would be constructed along County Road RA 100 and would provide the necessary water pressure to Zone 4 shown on the drawing in Appendix B.

- Construct 1450 feet of 8-inch water lines on the right of way of road number RA 100.

An 8-inch water pipe would be installed in a four foot deep trench within the road right of way. Since the existing road is paved, the road would be repaved over the area that would be trenched.

For safety, traffic control would be required.

- Construct 4050 feet of 12-inch water lines on the right of way of road number RA 88, 87, and 101.

A 12-inch water pipe would be installed in a four foot deep trench within the road right of way. Since the existing road is paved, the road would be repaved over the area that would be trenched.

For safety, traffic control would be required.

- Apply a base course on gravel road numbers SF94, 94A, a portion of SF92A, RA 101, and RA 103.

A 4-inch layer of new base course gravel would replace the existing gravel base. The new base course gravel will be spread and compacted to match the width of the existing road.

## **Chapter 3. AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES**

### **3.1 Introduction**

The relevant affected resources and the environmental consequences of the proposed action are described in Chapter 3 of the EID and are incorporated by reference in this EA. However, Indian Trust Assets (ITA) have not been included as an affected resource. The Department of Interior policy requires Reclamation to carry out its activities in a manner which avoids adverse impacts to ITAs when possible. As a result, a section in NEPA documents is required. The following statement therefore addresses ITAs for this supplement to the EID to fulfill that requirement for Reclamation:

### **3.1.1. Indian Trust Assets**

Indian Trust Assets (ITAs) are legal interests in property held in trust by the United States for Indian tribes or individuals. For example, ITAs include land, minerals, hunting and fishing rights, and water rights. The proposed project is not anticipated to have any effect on ITAs. As a result, there would be no environmental consequences as a result of the proposed action.

### **3.1.2. Cultural Resources**

In an effort to insure that cultural resources affected by the proposed action of this supplement has been considered, the following describes Reclamation's involvement regarding cultural resources:

The Booster Station, Water Fill Station, construction of two water lines, and construction of a base course over an existing road were reviewed by a Reclamation archeologist. The review included field trips, review of the EID's archeological survey of the proposed project, and several phone calls to the New Mexico State Historic Preservation Office (SHPO). The conclusions of the review indicated that the proposed undertaking would not alter, directly, or indirectly any characteristics of historic properties. No additional investigations regarding the proposed actions are recommended.

## **3.2. Irreversible and Irretrievable Commitment of Resources of the Proposed Action**

No resources of this kind were identified in the EID.

## **3.3. Cumulative Impacts**

Cumulative impacts on resources have been described in the EID and are incorporated by reference in this document. No cumulative impacts have been identified concerning ITAs and cultural resources.

## **Chapter 4. Environmental Commitments**

Should evidence of possible scientific, prehistorical, historical, or archeological data be discovered during the course of this action, work shall cease at that location and the Area archaeologist shall be notified by phone immediately, with the location and nature of the findings. Care shall be exercised so as not to disturb or damage artifacts or fossils uncovered during operations, and the proponents shall provide such cooperation and assistance as may be necessary to preserve the findings for removal or other disposition by the Government.

Discovery of Human Remains. Any person who knows or has reason to know that he or she has inadvertently discovered human remains on Federal or tribal lands, must provide immediate telephone notification of the inadvertent discovery, with written confirmation, to the responsible Federal agency official with respect to Federal lands, and, with respect to tribal lands, to the

responsible Indian tribe official. The requirement is prescribed under the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3042) of November 1990 and National Historic Preservation Act, Section 110(a)(2)(E)(iii) (P.L. 102-575, 106 Stat. 4753) of October 1992.

## **Chapter 5. CONSULTATION AND COORDINATION**

The EID describes consultation, coordination, and public involvement for the proposed action.

## **Chapter 6. LIST OF PREPARERS**

**NAME:** Mr. Robert Maxwell

**Affiliation:** Bureau of Reclamation

**Education:** B.S., Botany and Range Management, Brigham Young University, 1975  
Graduate Studies: Hazardous Waste Management, Arizona State University

**Technical Experience:** Environmental Protection Specialist with over 30 years of experience in environmental resource management with the Bureau of Land Management, U.S. Forest Service, and Department of Defense. In addition, served 15 years in the private sector as an Environmental Engineer for Arizona Public Service Company and Woodgrain Millwork, respectively.

**EA Responsibility:** Project NEPA Team Leader responsible for project environmental compliance and preparation of the EA.

## **Chapter 7. REFERENCES**

All references to listed in EPA's EID on page 28. The following is a reference listed for Reclamation's supplement to the EID:

Penner, William, Byszewski, Berenika, Hurt, Teresa, Raymond, Gerry, and Stewart Tamara J. "A Cultural Resource Survey of the Proposed Locations For a Water Supply System in Chimayó, Santa Fe and Rio Arriba Counties, New Mexico," Taschek Environmental Consulting Report No. 600-163, May 2004.

# APPENDIX A

118 STAT. 1400

PUBLIC LAW 108-354—OCT. 21, 2004

Public Law 108-354  
108th Congress

An Act

Oct. 21, 2004  
[S. 2511]

To direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Chimayo Water  
Supply System  
and Espanola  
Filtration  
Facility Act  
of 2004.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Chimayo Water Supply System and Espanola Filtration Facility Act of 2004”.

**TITLE I—CHIMAYO WATER SUPPLY SYSTEM**

**SEC. 101. DEFINITIONS.**

In this title:

- (1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (2) STUDY AREA.—The term “study area” means the Santa Cruz River Valley in the eastern margin of the Espanola Basin.
- (3) SYSTEM.—The term “system” means a water supply system described in section 102(a).
- (4) TOWN.—The term “Town” means the town of Chimayo, New Mexico, located in Rio Arriba County and Santa Fe County, New Mexico.

**SEC. 102. CHIMAYO WATER SUPPLY SYSTEM FEASIBILITY STUDY.**

(a) IN GENERAL.—The Secretary, in cooperation with appropriate State and local authorities, shall conduct a study to determine the feasibility of constructing a water supply system for the Town in the study area that includes potable water transmission lines, pump stations, and storage reservoirs.

(b) SCOPE OF STUDY.—In conducting the study under subsection (a), the Secretary shall—

- (1) consider operating the system in connection with the Espanola Water Filtration Facility;
- (2) consider various options for supplying water to the Town, including connection to a regional water source, local sources, sources distributed throughout the Town, and sources located on adjacent Bureau of Land Management land;
- (3) consider reusing or recycling water from local or regional sources:



PUBLIC LAW 108-354—OCT. 21, 2004

118 STAT. 1401

(4) consider using alternative water supplies such as surface water, brackish water, nonpotable water, or deep aquifer groundwater; and

(5) determine the total lifecycle costs of the system, including—

(A) long-term operation, maintenance, replacement, and treatment costs of the system; and

(B) management costs (including personnel costs).

(c) **DEADLINE FOR STUDY.**—As soon as practicable, but not later than 3 years after the date of enactment of this Act, the Secretary shall complete the study.

(d) **COST SHARING.**—The Federal share of the cost of the study shall be 75 percent.

(e) **COORDINATION.**—The Secretary shall coordinate activities of the Bureau of Reclamation, the Bureau of Land Management, and the United States Geological Survey in the furtherance of the study, including—

(1) accessing any Bureau of Land Management land adjacent to the study area that is necessary to carry out this section; and

(2) the drilling of any exploratory wells on Bureau of Land Management land adjacent to the study area that are necessary to determine water resources available for the Town.

(f) **REPORT.**—The Secretary shall submit to Congress a report on the results of the feasibility study not later than the earlier of—

(1) the date that is 1 year after the date of completion of the feasibility study; or

(2) the date that is 4 years after the date of enactment of this Act.

#### **SEC. 103. EMERGENCY WATER SUPPLY DEVELOPMENT ASSISTANCE.**

(a) **IN GENERAL.**—The Secretary may enter into contracts with water authorities in the study area to provide emergency water supply development assistance to any eligible person or entity, as the Secretary determines to be appropriate.

(b) **ELIGIBLE ACTIVITIES.**—The Secretary may provide assistance under subsection (a) for—

(1) hauling water;

(2) the installation of water purification technology at the community wells or individual point-of-use;

(3) the drilling of wells;

(4) the installation of pump stations and storage reservoirs;

(5) the installation of transmission and distribution pipelines to bring water to individual residential service connections;

(6) the engineering, design, and installation of an emergency water supply system; and

(7) any other eligible activity, as the Secretary determines to be appropriate.

(c) **COST SHARING.**—The Federal share of the cost of any activity under this section shall be 75 percent.

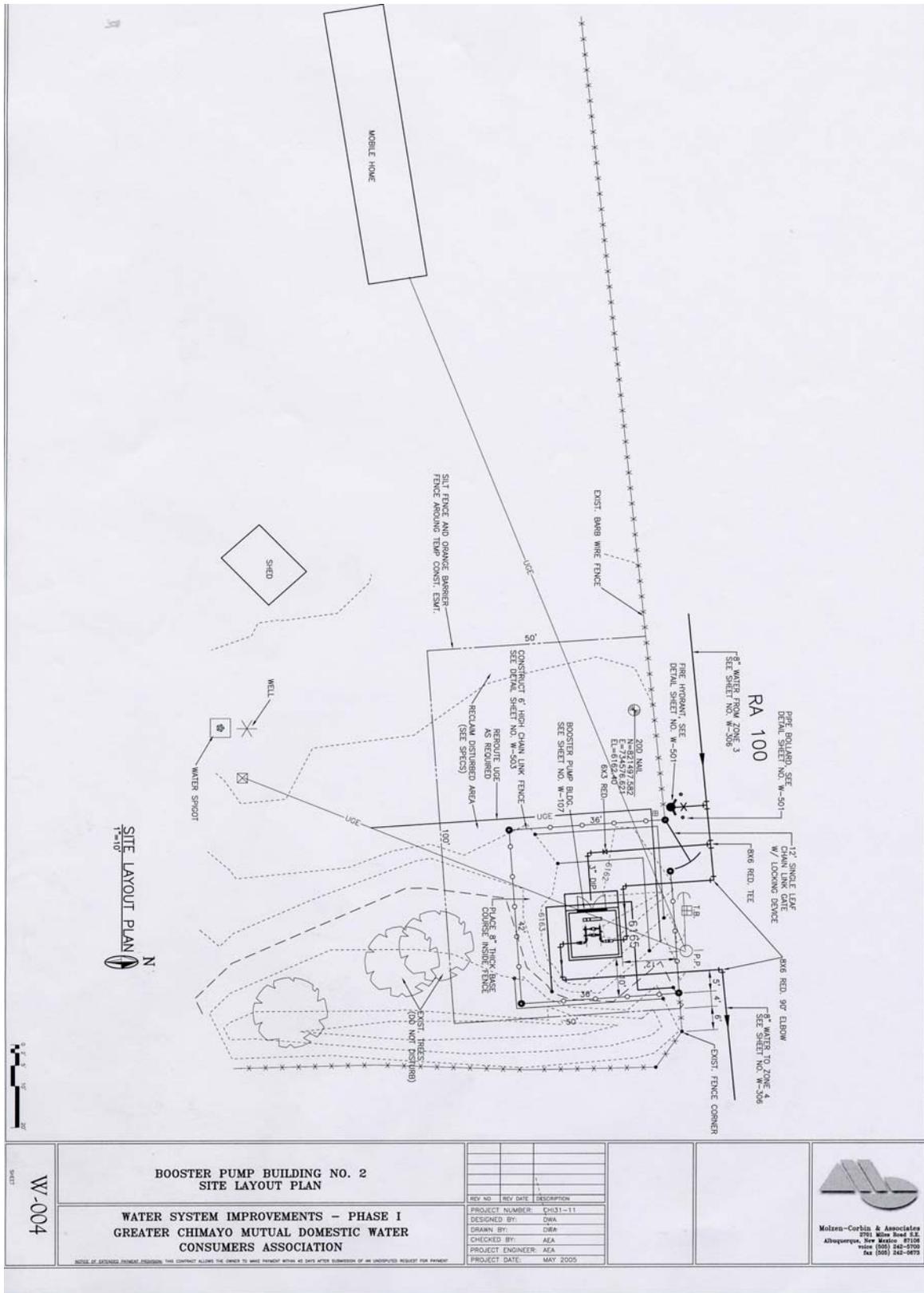
#### **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated—

(1) to carry out section 102, \$2,000,000 for the period of fiscal years 2005 through 2008; and

# APPENDIX B





# APPENDIX C

ALB-174  
ENV-3.00

Lisa Meyer  
Staff Archaeologist  
Office of Cultural Affairs  
New Mexico Historic Preservation Department  
228 East Palace Avenue  
Santa Fe, NM 87501

Subject: Chimayó Community Water System Project

Dear Ms. Meyer:

In order to comply with Section 106 of the National Historic Preservation Act of 1966, the Bureau of Reclamation requests input on our efforts to identify historic properties or traditional cultural properties (as specified in 36 CFR 800.4) for the project named above. This project was originally funded by the Environmental Protection Agency (EPA). In 2004 a cultural resources survey report with recommendations was compiled by Taschek Environmental Consulting, to which the New Mexico Historic Preservation Department (HPD) concurred on June 24, 2004 (Log 71359). On August 4, 2005, EPA issued a Finding of No Significant Impact.

Reclamation has now become a funding source for a portion of the project within the original scope of work that includes the application of base to existing roads, the construction of two pipeline segments, a water fill station and a booster station (see accompanying map). Based on the Taschek survey, the only cultural property falling within this portion of the project is the Acequia del Distrito, which is eligible for the National Register of Historic Places under Criterion A. Construction of the water pipelines will follow the concurred recommendation of boring under the acequia for installation of the lines.

Since no cultural properties will be adversely affected, Reclamation requests clearance for this project.

If you have any questions or concerns, feel free to contact Archaeologist Jeffery Hanson at 505-462-3607 or by e-mail at [jhanson@uc.usbr.gov](mailto:jhanson@uc.usbr.gov)

Sincerely,

Lori Robertson  
Manager  
Environment Division

Enclosure

WBR:JHanson:ronchaga:09/12/06:505-462-3607  
G:\SecFiles\Envi\Hanson, Jeffery\Chimayo SHPO - 091106