

**Federal Emergency Management Agency (FEMA)
PUBLIC NOTICE**

**Notice of Availability of the Draft Environmental Assessment (Draft EA) and National Historic
Preservation Act (NHPA) Public Comment Request
for the Proposed Interceptor Sewer Line in the Village of Ruidoso and the City of Ruidoso Downs
(Sewer Line Restoration/ Rehabilitation) Project
Lincoln County, New Mexico**

On July 27, 2008, remnants of Hurricane Dolly impacted the communities in the New Mexico counties of Lincoln and Otero Counties. Subsequently, a Presidential Disaster Declaration, FEMA 1783-DR-NM, was signed, with additional amendments, on August 25, 2008 for the State of New Mexico to supplement state and local recovery efforts in the area affected by the severe storms and flooding.

The Village of Ruidoso received 2.46 inches of rain with reports of up to 9 inches of rain in the surrounding mountains. This resulted in historic flooding along the Rio Ruidoso river and the mountain streams that feed it. The swift movement of flood waters down the mountainsides into the Rio Ruidoso river caused a great deal of scouring of stream beds and banks, and the movement of large rocks, boulders, trees, and other natural and man-made debris downstream for miles. This exposed and significantly damaged an interceptor sewer line located within the banks of the Rio Ruidoso river that serviced most of the Village of Ruidoso and the City of Ruidoso Downs. The damage to the interceptor sewer line broke it open causing large amounts of raw sewage to leak into the Rio Ruidoso river. Temporary repairs were made using Federal disaster funds provided by FEMA. However, the current interceptor sewer line is old and remains exposed at many locations in the Rio Ruidoso river making it highly vulnerable to future damage and additional raw sewage leaks.

Interested persons are hereby notified that the Village of Ruidoso, New Mexico has submitted an application for Federal Emergency Management Agency (FEMA) funding under FEMA's Public Assistance (PA) Program being administered in response to FEMA 1783-DR-NM. The Village of Ruidoso and the City of Ruidoso Downs have proposed to repair, replace, rehabilitate sections of the interceptor line to reduce the likelihood of raw sewage leaking in the Rio Ruidoso river.

The proposed project would abandon and re-align exposed and vulnerable sections of the interceptor sewer line; restore and rehabilitate sections of the interceptor sewer line damaged by the 2008 flooding and mitigate future damage by armoring key locations of the sewer line within its existing footprint. For the exposed or vulnerable existing interceptor sewer line sections, the proposal is to abandon those existing sewer line sections and re-align the sections by moving the line away from the Rio Ruidoso river. New lines will be placed near and parallel to the current line and they will be buried four (4) feet lower than the current line in order to abide by United States Army Corps of Engineers (USACE) regulations.

Most of the rehabilitated line and re-aligned line will continue to allow for gravity flow to carry interceptor sewer line contents down to the Regional Wastewater Treatment facility in the City of Ruidoso Downs. However, two lift stations will be installed, to address two of the most vulnerable sections of the interceptor sewer line. This will allow for movement of sewage through the system where grade does not allow for gravity sewer.

In order to mitigate future damage to the restored and rehabilitated sewer line, the proposal is to armor the interceptor sewer line and install flood mitigation measures immediately adjacent to key interceptor

sewer line crossings and interceptor sewer line sections running immediately parallel to the Rio Ruidoso river. In many of these locations, it is infeasible to re-align the interceptor sewer line away from the Rio Ruidoso river, since re-alignment may result in greater impact to the Rio Ruidoso river and private property along the river.

In accordance with the National Environmental Policy Act (NEPA) of 1969 and the implementing regulations of FEMA, a Draft Environmental Assessment (EA) was prepared to assess the potential impacts of the proposed action on the human and natural environment. The Draft EA summarizes the purpose and need, alternatives, affected environment, and potential environmental consequences for the proposed action. The Draft EA is available for comment and can be viewed and downloaded from the Village of Ruidoso websites <https://www.ruidoso-nm.gov/> and <https://ruidososewerproject.com/>. The Draft EA can also be viewed at the Village of Ruidoso, Ruidoso Public Library located 107 Kansas City Road, Ruidoso, NM 88345 between Monday and Friday, 9:00 a.m. to 5:30 p.m. and on Saturday, 9:00 a.m. to 5:00 p.m.

The comment period will end 30 days from the initial notice publication date. Written comments on the Draft EA can be mailed, emailed, or faxed to the contact below. If no substantive comments are received, the Draft EA will become final and a Finding of No Significant Impact (FONSI) will be issued for the project. Substantive comments will be addressed as appropriate in the final documents.

Seeking Public Comment NHPA¹
Environmental Assessment for the Interceptor Sewer Line in the Village of Ruidoso and the City of Ruidoso Downs (Sewer Line Restoration/ Rehabilitation)
Village of Ruidoso and the City of Ruidoso Downs, NM

As part of FEMA's Public Assistance Grant Program, the Village of Ruidoso ("the Village") with the City of Ruidoso Downs, NM ("the City") are requesting that FEMA provide funds to complete restoration, repairs, and hazard mitigation for the Interceptor Sewer Line along the Rio Ruidoso river and install rip-rap armoring, lift stations, and manholes to protect against future flooding (Undertaking) (See Public Notice of Availability of the Draft Environmental Assessment for details).

Federal regulations (54 USC §306108, "Section 106") require FEMA, as the funding agency, to determine if *Historic Properties* are within the Area of Potential Effect (APE). Historic Properties are any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places (NRHP). The APE is the geographic area or areas within which an Undertaking may directly or indirectly cause alterations in the character or use of Historic Properties, if any such properties exist.

Section 106 further requires FEMA to determine the *effects* the project will have on Historic Properties, and if those effects are *adverse effects* seek ways to avoid, minimize, or mitigate those to Historic Properties. Effects are an alteration, directly or indirectly, to the characteristics of an Historic Property that qualify it for listing in the NRHP. An adverse effect is found when an Undertaking may affect an Historic Property in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Included in effects are whether the visual appearance of the proposed new structures will directly or indirectly affect the characteristic historical appearance of any present Historic Properties, if at all. (Terminology definitions available in 36 Code of Federal Regulations (CFR) Part 800.16.

The Village in coordination with the New Mexico Historic Preservation Division (HPD) and FEMA's guidelines, defined the APE as a 169.6 acre, 12-mile area generally following the Rio Ruidoso from the Mescalero Apache property line to the Regional Wastewater Treatment facility in the City of Ruidoso Downs. To identify the presence of any Historic Properties, the Village completed an inventory of all buildings, sites, structures, objects within the APE that are 50 years of age or greater. A recommendation was made to FEMA regarding resources that were Historic Properties, including possible Historic Districts. Recommendations of effect to the proposed Historic Properties by the Undertaking were also provided to the Village, the City, FEMA and the USACE.

The inventory identified one-hundred and eighteen (118) individual properties with one (1) possible historic district. These properties are twenty-two (22) archaeological sites and *Isolated Occurrences*, eighty-five (85) buildings, five (5) bridges, one (1) racetrack, and five (5) acequias. Nineteen (19) of the buildings are recommended as Historic Properties. It was recommended that the proposed Undertaking will have no effect to any potential Historic Properties. This is a draft *Determination of Effect*, and FEMA has not provided a final Determination of Effect.

The potential historic district is the Ruidoso Cabinowners, Inc. (RC) Historic District. Located at the upper end of the Rio Ruidoso near the boundary of the Mescalero Apache Reservation, concentrated around Malone and within the RC property boundaries. These include some of the oldest cabins built in Ruidoso. Six (6) RC buildings were documented in the APE, three (3) are recommended as Historic Properties and as contributing to the potential historic district.

Any member of the public is encouraged to provide views on how the project may affect Historic Properties,

¹ FEMA is issuing this public notice as part of its responsibilities under the Advisory Council on Historic Preservation's regulations, 36 CFR Part 800, implementing Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA). This notice applies to activities carried out by the FEMA Public Assistance (PA) program implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§5152-5206.

specifically, if the proposed mitigation measures will have any effects on historic properties, and ways that these effects may be avoided, minimized, or mitigated.

FEMA requests your comments on the effects of the Undertaking on historic properties. Please provide this information to FEMA by January 27 [30 days], 2020.

Comments can be submitted the following ways:

Email: FEMA-R6-EHP@fema.dhs.gov, (please include the following in the subject heading *Draft Environmental Assessment Comment* or *NHPA Section 106 Comment*)

Mail: Federal Emergency Management Agency, Region 6 **c/o Kevin Jaynes**
800 North Loop 288, Denton, TX 76209

Fax: 940-297-0152

*Post your comments soon – all comments must be posted or postmarked by **January 27 [30 days], 2020.***