SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY

DRAFT STORMWATER MANAGEMENT PROGRAM

(SWMP)

NOVEMBER 27, 2019

PREPARED FOR COVERAGE UNDER USEPA NPDES

GENERAL PERMIT NMR04A000

MIDDLE RIO GRANDE WATERSHED BASED MUNICIPAL

SEPARATE STORM SEWER SYSTEM (MS4) PERMIT

SSCAFCA

1041 COMMERCIAL DR. SE

RIO RANCHO, NM 87124
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<th>Reason for Revision (e.g., Modification, Annual Report Review and Update, etc.)</th>
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Initial SWMP under Permit NMR04A000
NPDES Permit No. NMR04A000
Stormwater Management Program (SWMP)
Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SSCAFCA

Charles Thomas, P.E.
Executive Engineer

[Signature]

11-26-19
Date
## ACRONYM AND ABBREVIATIONS LIST

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<tr>
<th>Acronym</th>
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<td>ABCWUA</td>
<td>Albuquerque Bernalillo County Water Utility Authority</td>
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<td>AMAFCA</td>
<td>Albuquerque Metropolitan Arroyo Flood Control Authority</td>
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<tr>
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<td>BEMP</td>
<td>Bosque Ecosystem Monitoring Program</td>
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<td>Best Management Practice</td>
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<td>Biological Opinion</td>
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<td>cfs</td>
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<td>Illicit Discharge Detection and Elimination</td>
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<td>Acronym</td>
<td>Description</td>
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<td>LID</td>
<td>Low Impact Development</td>
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<td>Minimum Control Measures</td>
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<td>Monitoring Location</td>
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<td>MS4</td>
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<tr>
<td>PCB</td>
<td>Polychlorinated biphenyl</td>
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<tr>
<td>ppb</td>
<td>Parts per Billion</td>
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<td>QAPC</td>
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<td>Stormwater Pollution Prevention Plan</td>
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1 INTRODUCTION

1.1 PURPOSE OF STORMWATER MANAGEMENT PROGRAM (SWMP)

The Stormwater Management Program (SWMP) was developed in support of the requirements of the United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Middle Rio Grande Watershed Based Municipal Separate Storm Sewer System (MS4) Permit NMR04A000 (MS4 Permit). The MS4 Permit was issued and became effective on December 22, 2014, and was subsequently modified by EPA on April 9, 2015. The SWMP, according to Part I.D.1 of the MS4 Permit, shall satisfy all requirements of this Permit, and be implemented in accordance with Section 402(p)(3)(B) of the Clean Water Act (CWA), and the Stormwater Regulations (40 CFR § 122.26 and § 122.34). The MS4 Permit is included as Appendix A of this SWMP document.

The SWMP that follows describes the actions that Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) will take to protect stormwater quality and satisfy applicable requirements of the MS4 Permit. According to Part I.D.1 of the MS4 Permit, the SWMP will be designed to reduce the discharge of pollutants from a MS4 to the maximum extent practicable to protect water quality (including that of downstream state or tribal waters) and to satisfy applicable surface water quality standards.

The SWMP serves to document SSCAFCA’s proposed plans and goals, implementation schedules, and assessments associated with meeting the MS4 Permit requirements. The SWMP will be revised and modified as necessary over the course of the 5-year MS4 Permit term. The initial SWMP (Revision 0) summarizes the applicable MS4 Permit requirements and describes SSCAFCA’s plans and strategies to comply with the MS4 Permit requirements. The SWMP clearly defines, as applicable to SSCAFCA and as required in Part I.D.4 of the MS4 Permit, SSCAFCA’s measurable goals and implementation schedule for each control measure.

1.2 NOTICE OF INTENT (NOI) TO OBTAIN PERMIT COVERAGE

For coverage under the MS4 Permit, SSCAFCA submitted a notice of intent (NOI) as required in Part I.A.6.a to EPA Region 6 on June 19, 2015. SSCAFCA is classified as a Class B Permittee, as defined in Table 1 (Part I.B.1.a) of the MS4 Permit. SSCAFCA received authorization to discharge under this MS4 Permit from EPA on March 4, 2016. The NOI and related correspondence is provided as Appendix B of this SWMP.
1.3 SCAFCA – BACKGROUND AND DESCRIPTION

SCAFCA was created in 1991 by the New Mexico Legislature (72-19-1 to 72-19-103 NMSA 1978 known as the “Southern Sandoval County Arroyo Flood Control Act.”) with a specific responsibility to provide flood control infrastructure to address flooding problems in the southern part of Sandoval County. SCAFCA’s jurisdictional boundary on the east is the west bank of the Rio Grande, on the north is U.S. Highway 550, on the west by the interface between the Rio Grande watershed and the Rio Puerco watershed, and on the south by the Sandoval/Bernalillo County line. The largest municipality within SCAFCA’s boundaries is the City of Rio Rancho.

SCAFCA’s purpose is to prevent injury or loss of life and to eliminate or minimize property damage. SCAFCA does this by building and maintaining large “backbone” flood control structures throughout the Rio Rancho area which help alleviate flooding. The SCAFCA system is used by the City of Rio Rancho (CORR), the Village of Corrales (VOC), the Town of Bernalillo (TOB), the New Mexico Department of Transportation (NMDOT), and Sandoval County (BC) as a final conveyance of stormwater collected by their respective systems to the Rio Grande.

1.3.1 MAJOR DRAINAGES

SCAFCA’s jurisdiction contains five major drainages and one smaller drainage. The major drainages are: Callabacillas, Black, Montoyas, Barrancas, and Venada. The smaller drainage is the Coronado (previously the Unnamed) drainage.

The Montoyas Arroyo is a major drainage within SCAFCA’s jurisdiction. This arroyo has the largest amount of urbanized area of all of the drainages that SCAFCA operates. This 13 square mile long ephemeral drainage channel is primarily natural. However, as the arroyo approaches the VOC at its eastern terminus, the arroyo drains into the concrete Harvey Jones Channel in order to convey flood waters through the VOC and ultimately to the Rio Grande.

The Callabacillas Arroyo drainage is the largest drainage in SCAFCA’s jurisdiction. The upper part of the Callabacillas Arroyo drains from SCAFCA’s jurisdiction into the AMAFCA jurisdiction. However, there is sparse development within the upper Callabacillas Arroyo drainage. There is no lined channel within SCAFCA’s portion of the Callabacillas Arroyo drainage system. SCAFCA is currently in the process of purchasing/acquiring the portions of the arroyo right of way not currently in SCAFCA ownership.
The Barranca Arroyo drainage is relatively small, and, for the most part, undeveloped, with development primarily concentrated at the east end of the drainage. The City of Rio Rancho’s City Center development is located within the Barranca drainage. Aside from road crossings and armoring around these road crossings, the Barranca Arroyo is completely natural, with no engineered or hardened channel linings.

The Venada Arroyo drainage is located at the northern end of SSCAFCA’s jurisdiction. Portions of the Venada Arroyo have been developed, primarily with residential and commercial development. Some of the tributaries to the Venada Arroyo have been lined with concrete or shotcrete, however, the main stem of the arroyo remains natural.

The Black Arroyo is a tributary to the Callabacillas Arroyo. The confluence of these two arroyo systems occurs within AMAFCA’s jurisdiction, therefore, SSCAFCA treats this drainage as an independent feature from the Callabacillas Arroyo drainage. The Black Arroyo drainage is urbanized primarily with residential and commercial development. The majority of the Black Arroyo remains natural, with only a few of the tributaries being lined.

1.3.2 NATURAL VERSUS LINED ARROYO CHANNELS

The Board of Directors for SSCAFCA has made the determination that, wherever possible, arroyo channels should remain natural instead of lined with concrete or shotcrete. The Board’s direction has been to grade control and bank stabilization at key locations to ensure public safety, but to still keep the arroyos natural to the greatest extent possible.

1.3.3 DAMS

A typical SSCAFCA dam is built with a principal spillway (pipe through the embankment) and an emergency spillway. Dams and other types of detention basins collect storm flows from existing storm drain infrastructure and release it slowly to prevent and/or minimize downstream damage. SSCAFCA dams are capable of fully detaining the 1 percent (100-year) storm. A storm greater than that, however, could produce a runoff flow through the emergency spillway and cause some downstream flooding.

1.3.4 WATER QUALITY

SSCAFCA is also concerned with protecting water quality for its jurisdictional area. SSCAFCA has designed and built many structures that catch debris, sediment, vegetation, and trash. These structural Best Management Practices (BMPs) protect the Rio Grande from pollution. SSCAFCA’s dams and ponds function not only as flood control facilities but also as water quality structures, trapping sediment and debris.
1.4 COMPLIANCE WITH OTHER LAWS AND REGULATORY REQUIREMENTS

Part I.D.1 of the MS4 Permit states that if a Permittee is already in compliance with one or more requirements of the MS4 Permit – because it is already subject to and complying with a related local, state, or federal requirement that is at least as stringent as the MS4 Permit requirement – the Permittee may reference the relevant requirement as part of the SWMP and document why the MS4 Permit requirement has been satisfied.

The NM Office of the State Engineer (OSE) and Interstate Stream Commission (ISC) regulates the water delivery to the Rio Grande in order to meet water delivery requirements to Texas and downstream water rights; therefore, SSCAFCA’s objective is to design its facilities to drain within 96 hours per the OSE requirements.

1.5 LEGAL AUTHORITY

SSCAFCA has the legal authority to convey discharges entering its flood control system to the Rio Grande. The SSCAFCA flood control system collects stormwater generated by the other permittees namely: The City of Rio Rancho, NMDOT, the Town of Bernalillo, Sandoval County, SSCAFCA, and the Village of Corrales. The SSCAFCA facilities protect area residents from flood flows and convey said flows to the receiving waters of the Rio Grande.

SSCAFCA does not have legal authority to pass ordinances. SSCAFCA can use contractual agreements for activities conducted on their property as a means to provide legal authority related to MS4 Permit requirements.
2 SWMP GENERAL COMPONENTS AND REQUIREMENTS

As described in Section 1.1, SSCAFCA will develop, implement and enforce a SWMP that is designed to reduce the discharge of pollutants to the maximum extent practicable, to protect water quality, and to satisfy applicable surface water quality standards. The SWMP addresses the MS4 Permit Special Conditions (Part I.C), contains the eight Minimum Control Measures (MCM) required in Part I.D.5 of the MS4 Permit, and addresses the applicable Monitoring and Assessment requirements in Part III of the MS4 Permit. The SWMP addresses each applicable MS4 Permit activity with a proposed plan to meet the required Permit activity, measurable goal(s) for the proposed plan, implementation schedule, and identification of responsible SSCAFCA personnel. Program development and full implementation of this SWMP is proposed over five years from the effective date of the MS4 Permit (December 22, 2014). The general SWMP components, organization, review process, and modification process are described in the sections below.

2.1 SPECIAL CONDITIONS SWMP COMPONENTS

Part I.C of the MS4 Permit defines the Special Conditions requirements. These elements are outlined below, and program details are provided in the SWMP tables in Section 3.

- **Compliance with Water Quality Standards (Part I.C.1)** – This section of the Permit includes provisions to ensure that MS4 discharges do not cause or contribute to exceedances of applicable surface water quality standards. Under this section, there is a Dissolved Oxygen (DO) Program (Part I.C.1.d), a Polychlorinated biphenyl (PCBs) Program (Part I.C.1.e), and a Temperature Program (Part 1.C.1.f). The DO, PCB and Temperature programs are specific to AMAFCA and the City of Albuquerque, therefore, SSCAFCA will not have any action items in their SWMP to address these items.

- **Discharges to Impaired Waters with and without Approved TMDLs** – This section of the Permit (Part I.C.2.b.(i) and Tables 1.a - TMDL Bacteria Program and 1.b – TMDL Nutrient Program - Part I.C.2.b.(iii)) requires that the SWMP have controls that target the pollutants of concern identified for the impaired waters. There are specific Permit requirements if the impaired water body has a Total Maximum Daily Load (TMDL) approved by EPA and NMED.
o For the Rio Grande, E.coli has been identified as an impairment and has an established TMDL. This TMDL applies to the MS4 area for the Rio Grande from Alameda to US 550 (Waterbody ID NM-2105.1_00).

o The section of the Permit also has requirements for waters with impairments that do not yet have TMDLs. The Rio Grande has the following impairments in the MS4 area, without TMDLs:
  ▪ Rio Grande (Alameda to US 550 – waterbody ID NM-2105.100) - PCBs in water column and Gross Alpha adjusted;

o For the Rio Grande (Alameda to US 550 – waterbody ID NM-2105.100), there are currently no impairments for nutrients. Therefore, there are no requirements in this SWMP to comply with the activities and schedules related to Impairment for Nutrients in Table 1.b in Part I.C.2.b.(iii). SSCAFCA does monitor for nutrients through its Wet Weather Monitoring Program, see Section 2.3.


- **Compliance with Endangered Species Act Requirements (Part I.C.3)** –
  
  This section of the Permit includes provisions consistent with the USFWS Biological Opinion (BO) related to the MRG Watershed MS4 Permit dated August 21, 2014 - Cons. #22420-2011-F-0024-R001. This section has two requirements: Dissolved Oxygen Strategy and Sediment Pollutant Load Reduction Strategy.

  o The Dissolved Oxygen Strategy required here has been combined with the Compliance with Water Quality Standards - Dissolved Oxygen (DO) Program (Part I.C.1.d) due to the similar Permit requirements. The Dissolved Oxygen Strategy in the permit is a requirement of AMAFCA and the City of Albuquerque. SSCAFCA is not required to have a DO strategy.

  o For the Sediment Pollutant Load Reduction Strategy, SSCAFCA facilities function as regional flood control facilities as well as BMPs to remove sediment from stormwater before the stormwater reaches the Rio Grande. In the MRG MS4, SSCAFCA is not contributing to the sediment pollutant load but rather functioning to capture the sediment pollutant load generated.
throughout the watershed by MS4s contributing runoff to SCAFCA facilities. As such, SCAFCA does not want to reduce the sediment loads but rather continue targeted controls to increase the capture of sediment in its facilities. SCAFCA’s program for this Permit element will focus on assessing its facilities related to sediment and improving, or potentially expanding, its facilities and operations to improve sediment capture efficiencies.

2.2 CONTROL MEASURES SWMP COMPONENTS

Each applicable control measure program required in Part I.D.5 of the MS4 Permit is addressed in this SWMP. There are eight MCMs which are described in general terms below and with program details in the SWMP tables in Section 3.

- **Construction Site Runoff Control Program (Part I.D.5.a and Table 2)** – This program has controls related to the discharge of stormwater and pollutants from construction activities that result in a land disturbance of greater than or equal to one acre. As SCAFCA does not have jurisdiction over private or public (Non-SCAFCA) construction activities, much of this section does not apply to SCAFCA. SCAFCA will comply with section requirements for SCAFCA-owned projects or projects on SCAFCA-owned land.

- **Post-Construction Stormwater Management Program for New Development and Redevelopment (Part I.D.5.b and Table 3)** – This program addresses stormwater runoff from new development and redevelopment projects after construction site stabilization has been achieved to minimize water quality impacts. Most of this section is not applicable to SCAFCA as SCAFCA does not have any development or redevelopment projects. All SCAFCA projects are regional flood control or water quality projects. SCAFCA does not have jurisdiction over private or public (non-SCAFCA) development or redevelopment projects; this responsibility lies with other MS4s in the Middle Rio Grande watershed. SCAFCA facilities receive stormwater after it flows through new development and redevelopment. As a result, most permit activities in this section do not apply to SCAFCA.

- **Pollution Prevention / Good Housekeeping Program (Part I.D.5.c and Table 4)** – The goal of this program is to prevent or reduce pollutant runoff from SCAFCA operations through training, maintenance, and waste management.

- **Industrial and High Risk Runoff (Part I.D.5.d and Table 5)** – This is a program to minimize the contribution of pollutants to the MS4 associated with industrial activity in
the MS4. This section is not applicable to Class B permittees, of which SSCAFCA is one, therefore this program element does not apply.

- **Illicit Discharges and Improper Disposal (Part I.D.5.e and Table 6)** – The goal of this program is to detect and eliminate illicit discharges. The program elements also prohibit illicit dumping or disposal of materials, other than stormwater, into the MS4. The program includes a notification process and hotline; incident investigation and reporting process; procedures for testing, if necessary; an educational component; and an SSCAFCA spill prevention and response plan.

- **Control of Floatables Discharges Program (Part I.D.5.f and Table 7)** – This program is intended to address and control floatables in discharges to the MS4 through implementation of source controls and structural controls (BMPs).

- **Public Education and Outreach on Stormwater Impacts (Part I.D.5.g and Table 8)** – The program provides education and outreach programs to the community related to the impact human activities have on the water quality of the Rio Grande. This control measure is approached through a cooperative group organized as the Middle Rio Grande Stormwater Quality Team (MRGSWQT). The MRGSWQT provides public education and outreach on stormwater impacts through different media and methods, reaching widespread target audiences, and focusing on target pollutants including pet waste, illicit discharges, and trash/debris. Currently, the MRGSWQT funds classroom and field education programs, media campaigns, brochures, giveaways, display booth/kiosk, website and Facebook page.

- **Public Involvement and Participation (Part I.D.5.h and Table 9)** – This control measure encourages public involvement and provides opportunities for participation in public outreach activities as well as in the review, modification and implementation of the SWMP.

### 2.3 MONITORING SWMP COMPONENTS

Part III.A of the MS4 Permit defines the monitoring and assessment program requirements and objectives. As applicable, three Permit elements have been added to the SSCAFCA SWMP: Wet Weather Monitoring (Part III.A.1 and Table 10), Dry Weather Discharge Screening (Part III.A.2), and Floatables Monitoring (Part II.A.3). Industrial and High Risk Runoff Monitoring (Part III.A.4) is not part of SSCAFCA’s SWMP, and SSCAFCA certifies, with submittal of this SWMP, that no such industrial activities are in SSCAFCA’s jurisdiction; this program element does not apply.
2.4 SWMP ORGANIZATION

SSCAFCA’s SWMP is organized in a tabular format in an Excel Database. The detailed SWMP tables are provided in Section 3. The SWMP tables are organized following the MS4 Permit organization. The SWMP includes:

- **Permit Activity Description** – This contains the Permit requirements, Permit language, and Permit references.
- **Proposed Plan** – This contains SCAFCA’s strategy to comply with the required Permit activity. This section will identify if SCAFCA is involved in a cooperative program for this Permit element. Cooperative programs are encouraged with this MS4 Permit Part I.B.4). Section 3, Table A, provides a list of the current SCAFCA cooperative programs.
- **Measurable Goal** – This contains specific actions that SCAFCA proposes to complete to meet its Proposed Plan.
- **Permit Required Implementation Schedule** – This contains the implementation schedules listed in the Permit for the specific Permit activity, as applicable. The Permit implementation schedules for SCAFCA are either the Permittee Class B or the Cooperative, depending on the Permit activity and if SCAFCA has a cooperative program for that activity.
- **Responsible Personnel** – This contains a list of SCAFCA responsible personnel for the Permit activity.

In addition, SCAFCA will add columns annually for **Status of Implementation and Performance Assessment**. These sections will be completed during the Annual Report review of the SWMP. Additional columns may be added to the database, as necessary, to help SCAFCA manage and track the SWMP elements.

2.5 PROCESS OF SWMP REVIEWS

According to the requirements in Part I.D.6.a, the SWMP will undergo an annual review in conjunction with preparation of the Annual Report (required in Part III.B). The review will include the following components:

- A discussion of progress made in SWMP implementation, including achievement of measureable goals and compliance with program elements and other MS4 Permit conditions.
- An evaluation of the effectiveness of the SWMP in complying with the MS4 Permit with respect to controlling pollutant discharges and complying with water quality
standards and TMDLs. This evaluation will include identifying necessary modification needed for the SWMP, if applicable.

- The adequacy of staff (man hours needed and projected), funding levels, equipment, and support capabilities to fully implement the SWMP and comply with the MS4 Permit conditions.

As required in Part III.B, the first and fourth Annual Reports will include submittal of a complete SWMP revision.

2.6 PROCESS OF SWMP MODIFICATIONS

The SWMP may be modified under the conditions described below.

2.6.1 Permittee-Initiated Modifications

SSCAFCA may modify this SWMP with prior notification or request to the EPA and NMED in accordance with Part I.D.6.b of the MS4 Permit. Modification requests or notifications shall be made in writing and signed in accordance with Part IV.H of the Permit.

- Modifications adding, but not eliminating, replacing, or jeopardizing fulfillment of any component, control, or requirements of the SWMP can be made by the Permittee at any time upon written notification to the EPA.

- Modifications replacing or eliminating an ineffective or infeasible component, control, or requirement of the SWMP (including monitoring and analysis requirements) may be requested of EPA in writing at any time. When requesting a modification, the Permittee shall include the following information:
  - A description of why the SWMP component is ineffective, unfeasible (including cost prohibitions), or unnecessary to support compliance with the permit;
  - Expectations on the effectiveness of the proposed replacement component; and
  - An analysis of how the proposed replacement component is expected to achieve the goals of the component to be replaced.

2.6.2 EPA-Required Modifications

Modifications may be requested by EPA (Part I.D.6.c) to address impacts to receiving water quality, include requirements to comply with new or revised regulations, add measures needed to comply with the Clean Water Act, or add measures needed to comply with the MS4 Permit. If modifications are requested by EPA, the Permittee will be provided with an
opportunity to propose alternative program modifications to meet the objective of the requested modification.

2.6.3 Due to Modification of the MS4 Permit

The MS4 Permit may be reopened and modified (Part V), in accordance with 40 CFR §122.62, §122.63, and §124.5. Only those portions of the SWMP specifically required as Permit conditions shall be subject to the modification requirements of 40 CFR §124.5.
3 SWMP TABLES

As described in Section 2.4 above, AMAFCA’s SWMP is organized in a tabular format in an Excel Database. The SWMP tables are provided on the following pages.

Below, in Table A, all of AMAFCA’s current cooperative programs which have joint agreements are listed. Copies of the joint agreements are provided in Appendix D.

**TABLE A: SWMP Joint Agreements**

<table>
<thead>
<tr>
<th>Cooperative Program Name</th>
<th>SWMP Element</th>
<th>Cooperative Partners</th>
<th>Joint Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle Rio Grande Stormwater Quality Team (MRGSWQT)</td>
<td>Various</td>
<td>SCAFCA, AMAFCA, City of Albuquerque, NMDOT-District 3, Town of Bernalillo, Sandoval County, Village of Los Ranchos, ESCAFC, City of Rio Rancho</td>
<td>Intergovernmental Agreement</td>
</tr>
<tr>
<td>Compliance Monitoring Cooperative</td>
<td>Part III.A.1</td>
<td>SCAFCA, AMAFCA, City of Albuquerque, NMDOT-District 3, Town of Bernalillo, UNM, Bernalillo County, Sandoval County, Village of Corrales, Village of Los Ranchos, City of Rio Rancho, ESCAFC</td>
<td>Intergovernmental Agreement</td>
</tr>
<tr>
<td>MS4 Technical Advisory Group (TAG)</td>
<td>Various</td>
<td>AMAFCA, City of Albuquerque, NMDOT-District 3, UNM, Bernalillo County, Sandoval County, Village of Corrales, City of Rio Rancho, Village of Los Ranchos, Kirtland Air Force Base (KAFB), Town of Bernalillo, EXPO NM, SCAFCA, ESCAFC</td>
<td>Memorandum of Agreement</td>
</tr>
</tbody>
</table>
APPENDICES
<table>
<thead>
<tr>
<th>NOI Section</th>
<th>ID</th>
<th>Permit Activity Description</th>
<th>Best Management Practices/Proposed Plan</th>
<th>Measurable Goal</th>
<th>Permit Required Implementation Schedule</th>
<th>Cooperative Implementation Schedule</th>
<th>Milestone Implementation Schedule</th>
<th>Responsible Personnel</th>
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<tr>
<td>Part I.C - Special Conditions</td>
<td>3</td>
<td>Compliance with Water Quality Standards – Dissolved Oxygen &amp; Part I.C.1.d and Endangered Species Act (ESA) Requirements - Dissolved Oxygen Strategy - Part I.C.3.a</td>
<td>According to the requirements in Part I.C.1.d and Part I.C.3.a(iii), certain permittees shall revise the May 1, 2012 Strategy to continue taking measures to address concerns regarding discharges to the Rio Grande by implementing controls to eliminate conditions that cause or contribute to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. The permittee shall, as part of this revised strategy, complete the following activities [activities are listed in sections below]. Activities listed are a combination of permit activities in Part I.C.1.d - Special Conditions, Compliance with Water Quality Standards; Phase I Dissolved Oxygen Program &amp; Part I.C.3.a - Dissolved Oxygen Strategy in Receiving Waters of the Rio Grande.</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>NA</td>
<td>Program Lead: NA</td>
</tr>
<tr>
<td>4</td>
<td>Part I.C.1.d(i) Identify (or continue identifying) structural elements, natural or man-made topographical and geographical formations, MS4 operations activities, or oxygen demanding pollutants contributing to reduced dissolved oxygen in the receiving waters of the Rio Grande. Both dry and wet weather discharges shall be addressed. Assessment may be made using available data or collecting additional data;</td>
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Not Included in NOI
<table>
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<th>NOI Section</th>
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<td>Not included in NOI</td>
<td>7</td>
<td>Part I.C.1.d.(ii) Continue implementing controls, and updating/revising as necessary, to eliminate structural elements or the discharge of pollutants at levels that cause or contribute to exceedances of applicable water quality standards for dissolved oxygen in waters of the United States;</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>NA</td>
<td>Program Lead; Not applicable</td>
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<tr>
<td>Not included in NOI</td>
<td>8</td>
<td>Part I.C.1.d.(iii) Continue sampling for DO and temperature in the North Diversion Channel (NDC) Embayment until the data indicate the discharge does not exceed applicable DO water quality standards in waters of the United States. This coincides with the requirements in Part I.C.3.a.(ii).(a), the revised strategy shall include: A. A Monitoring Plan describing all procedures necessary to continue conducting continuous monitoring of DO and temperature in the NDC Embayment and at 1 location in the Rio Grande downstream of the mouth of the NDC within the action area (e.g., Central Bridge). B. A Quality Assurance and Quality Control (QA/QC) Plan describing all standard operating procedures, quality assurance and quality control plans, maintenance and implementation schedules that will assure timely and accurate collection and reporting of water temperature, DO, oxygen saturation, and flow. The QA/QC plan should include all procedures for estimating oxygen data when any oxygen monitoring equipment fail.</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead; Not applicable</td>
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<tr>
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<td>(iv) Submit a revised strategy to FWS for consultation and EPA for approval within a year of the effective date of the permit and progress reports with the subsequent Annual Reports. Progress reports to include:</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead, Not applicable</td>
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<td>9</td>
<td>(b) Activities undertaken to identify MS4 discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. Including summary of findings of the assessment required in Part I.C.1.d.(i). (c) Conclusions drawn, including support for any determinations.</td>
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<td>(d) Activities undertaken to eliminate MS4 discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. (e) Account of stakeholder involvement. In addition, to meet Part I.C.3.a.(ii).b) requirements, an annual incidental take report must be submitted as well as all data collected (including provisional oxygen and water temperature data, and associated metadata), transferred, stored, summarized, and evaluated shall be included in the Annual Report.</td>
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<td>10</td>
<td>According to the requirements in Part I.C.3.a (ii), the permittees shall ensure that actions to reduce pollutants or remedial activities selected for the NDC Embayment and its watershed are implemented such that there is a reduction in frequency and magnitude of all low oxygen stormwater discharge events that occur in the Embayment or downstream in the MRG as indicated in Table 1.c. Actions to meet the year 3 measurable goals must be taken within 2 years from the effective date of the permit. Actions to meet the year 3 measurable goals must be taken within 4 years from the effective date of the permit.</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead, Not applicable</td>
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<td>Not Included in NOI</td>
<td>According to the requirements in Part I.C.3.b, the permittees (COA and AMAFCA) shall provide: A. An Annual Incidental Take Report to EPA and the Service that includes the following information: beginning and end date of any qualifying stormwater events, DO values and water temperature in the NDC Embayment, DO values and water temperature at a downstream monitoring station in the MRG, flow rate in the NDC, mean daily flow rate in the MRG, evaluation of oxygen and temperature data as either anoxic or hypoxic using Table 2 of the BO, and estimate the number of silvery minnows taken based on Appendix A of the BO. Electronic copy of The Annual Incidental Take Report should be provided with the Annual Report required under Part III.B no later than December 1 for the proceeding calendar year. This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>• Not applicable</td>
<td>NA</td>
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<td>Program Lead: Not applicable</td>
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<td>Not Included in NOI</td>
<td>According to the requirements in Part I.C.3.b, the permittees (COA and AMAFCA) shall provide: B. A summary of data and findings with each Annual Report to EPA and the FWS. All data collected (including provisional oxygen and water temperature data, and associated metadata), transferred, stored, summarized, and evaluated shall be included in the Annual Report. If additional data is requested by EPA or the FWS, the COA and AMAFCA shall provide such information within two weeks upon request. The revised strategy required under Part I.C.3.a.(ii), the Annual Incidental Take Reports required under Part I.C.3.a.(ii),(b),(a), and Annual Reports required under Part III.B can be submitted to FWS via e-mail <a href="mailto:nmesf@fws.gov">nmesf@fws.gov</a> and Joel <a href="mailto:luck@fws.gov">luck@fws.gov</a>, or by mail to the New Mexico Ecological Services field office, 2105 Osuna Road NE, Albuquerque, New Mexico 87113. This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>• Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead: Not applicable</td>
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<td>13</td>
<td>Compliance with Water Quality Standards – PCBs - Part I.C.1.e</td>
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<td>Not Included in NOI</td>
<td>According to the requirements in Part I.C.1.e, the permittee shall address concerns regarding PCBs in channel drainage areas specified in Part I.C.1.e(vi) by developing or continue updating/reviseing and implementing a strategy to identify and eliminate controllable sources of PCBs that cause or contribute to exceedances of applicable water quality standards in waters of the United States.</td>
<td>This section of the permit is specific to COA, AMAFCA and Bernalillo County. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>• Not applicable</td>
<td></td>
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<td>Program Lead: NA</td>
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<td>Not Included in NOI</td>
<td>The progress reports shall include: (i) Summary of data. (ii) Findings regarding controllable sources of PCBs in the channel drainage area specified in Part I.C.1.e(vi) that cause or contribute to exceedances of applicable water quality standards in waters of the US via the discharge of municipal stormwater. (iii) Conclusions drawn, including supporting information for any determinations. (iv) Activities undertaken to eliminate controllable sources of PCBs in the drainage areas specified in Part I.C.1.e(vi) that cause or contribute to exceedances of applicable water quality standards in waters of the US via the discharge of municipal stormwater including proposed activities that extend beyond the 5 year permit term. (v) Account of stakeholder involvement in the process. (vi) Channel Drainage Areas: The PCB strategy required in Part I.C.1.e is only applicable to: COA and AMAFCA Areas: San Jose Drain &amp; North Diversion Channel Bernalillo Co. Areas: Adobe Acres Drain, Alameda Outfall Channel, Paseo del Norte Outfall Channel, &amp; Sanchez Farm Drainage Area.</td>
<td>This section of the permit is specific to COA, AMAFCA and Bernalillo County. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>• Not applicable</td>
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<td>Program Lead: Not applicable</td>
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<td>16</td>
<td>A cooperative strategy to address PCBs in the COA, AMAFCA and Bernalillo County's drainage areas may be developed between Bernalillo County, AMAFCA, and the COA. If a cooperative strategy is developed, the cooperative strategy shall be submitted to EPA within 3 years from the effective date of the permit and submit a progress report with the fourth and with subsequent Annual Reports. Note: COA and AMAFCA must continue implementing the existing PCB strategy until a new Cooperative PCB Strategy is submitted to EPA.</td>
<td>This section of the permit is specific to COA, AMAFCA and Bernalillo County. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>• Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead: Not applicable</td>
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<tr>
<td>17</td>
<td><strong>Compliance with Water Quality Standards – Temperature – Part I.C.1.f</strong> According to the requirements in Part I.C.1.i, the permittees must continue assessing the potential effect of stormwater discharges in the Rio Grande by collecting and evaluating additional data. If the data indicates there is a potential of stormwater discharges contributing to exceedances of applicable temperature water quality standards in waters of the United States, within thirty (30) days such as findings, the permittees must develop and implement a strategy to eliminate conditions that cause or contribute to these exceedances.</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>• Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead: Not applicable</td>
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<td>18</td>
<td>The strategy must include: (i) Identify structural controls, post construction design standards, or pollutants contributing to raised temperatures in the receiving waters of the Rio Grande. Both dry and wet weather discharges shall be addressed. Assessment may be made using available data or collecting additional data; (ii) Develop and implement controls to eliminate structural controls, post construction design standards, or the discharge of pollutants at levels that cause or contribute to exceedances of applicable water quality standards for temperature in waters of the United States; and</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>• Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead: Not applicable</td>
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<td>NOI Section ID</td>
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<td>20</td>
<td>(iii) Provide a progress report with the first and with subsequent Annual Reports. The progress report shall include: (a) Summary of data. (b) Activities undertaken to identify MS4 discharge contribution to exceedances of applicable temperature water quality standards in waters of the United States. (c) Conclusions drawn, including supporting information for any determinations. (d) Activities undertaken to reduce MS4 discharge contribution to exceedances of applicable temperature water quality standards in waters of the United States. (e) Accounting of stakeholder involvement.</td>
<td>This section of the permit is specific to COA and AMAFCA. SSCAFCA has no role or responsibility with regard to this section of the permit.</td>
<td>Not applicable</td>
<td>NA</td>
<td>NA</td>
<td>Program Lead: Not applicable</td>
<td></td>
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<tr>
<td>21</td>
<td>Discharges to Impaired Waters With Approved TMDLs - Part I.C.2.b.(i) and TABLE 1.a - TMDL Bacteria Program- Part I.C.2.b.(iii)</td>
<td>According to the requirements in Part I.C.2.b.(i), if the permittee discharges to an impaired water body with an approved TMDL (see MS4 Permit, Appendix B), where stormwater has the potential to cause or contribute to the impairment, the permittee shall include in the SWMP controls targeting the pollutant(s) of concern along with any additional or modified controls required in the TMDL and this section. As stated in the Permit, Appendix B, a bacteria TMDL for the Middle Rio Grande was approved by the New Mexico Water Quality Control Commission on April 13, 2010, and by EPA on June 30, 2010. SSCAFCA's proposed plans for compliance with the Permit activities are described in the sections below. SSCAFCA's measurable goals for compliance with the Permit activities are described in the sections below.</td>
<td>See specific Permit activity schedules below.</td>
<td></td>
<td></td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
<td></td>
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<td>22</td>
<td>Not Included in NOI</td>
<td>The SWMP and required annual reports must include information on implementing any focused controls required to reduce the pollutant(s) of concern as described below:</td>
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</table>

A bacteria TMDL for the Middle Rio Grande was approved by the New Mexico Water Quality Control Commission on April 13, 2010, and by EPA on June 30, 2010. SSCAFCA's proposed plans for compliance with the Permit activities are described in the sections below.
SSCAFCA's proposed plan for targeted controls for bacteria include:

A. Sanitary Sewer Systems - Targeted Controls: There are no sanitary sewer systems owned or operated by SSCAFCA. Some City of Rio Rancho owned sewer system are located within SSCAFCA ROW. SSCAFCA will address this system through educational and public outreach through its involvement with the MRGSWQT.

C. Illicit Discharges and Dumping - Targeted Controls: SSCAFCA has a robust IDDE Program. In the IDDE program, SSCAFCA has focused on illegal dumping of solid waste/refuse and removal of solid waste from subwatersheds. Refer to the SWMP – Table 6: Illicit Discharges and Improper Disposal - for additional information.

D. Animal Sources - Targeted Controls: SSCAFCA will continue its focus on reducing pet waste through its "Poop Fairy" campaign and its involvement with the MRGSWQT educational outreach "Scoop the Poop" campaign.

E. Residential Education - Targeted Controls: SSCAFCA will address this area through educational and public outreach through its involvement with the MRGSWQT.

Measurable Goal: SSCAFCA will include the MRGSWQT Outcomes Report in each Annual Report which will summarize the activities or planned activities where educational materials are distributed.

Not applicable to SSCAFCA’s measurable goals for targeted controls for bacteria include:

A. Sanitary Sewer Systems - N/A for SSCAFCA, however, SSCAFCA will address with IDDE program for City-owned systems within SSCAFCA ROW.

C. Illicit Discharges and Dumping - Measurable goals - Refer to the SWMP – Table 6: Illicit Discharges and Improper Disposal - for measurable goals.

D. Animal Sources - Measurable goals -
   1. Poop Fairy Campaign - SSCAFCA will continue its focus on reducing pet waste reaching stormwater by continuing to provide targeted signage in areas of specific concern encouraging the general public to remove their pet’s waste.
   2. MRGSWQT educational outreach - Through the MRGSWQT, pet waste will be targeted through the "Scoop the Poop" campaign.

E. Residential Education - Measurable goal:
   1. MRGSWQT educational outreach - SSCAFCA will continue to collaborate with the MS4 permittees to improve upon the existing public education outreach program. Program target pollutants include pet waste and trash/debris. The MRGSWQT continues to expand upon its education programs, media campaigns, printed materials including brochures, public presentations/events, giveaways, display booth/booth, signage at select locations, website and Facebook page.

SSCAFCA will continue its “Poop Fairy” public information campaign, increasing the number of “Poop Fairy” signs installed at SSCAFCA facilities by 5% during the permit period.

SSCAFCA will contribute and participate in the MRGSWQT.

SSCAFCA will include the MRGSWQT Outcomes Report in each Annual Report which will summarize the activities or planned activities related to targeting pet waste sources and residential education targeting bacteria sources.

In working with the MRGSWQT, increase the delivery educational programs, materials, information to 1% more people
<table>
<thead>
<tr>
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<tr>
<td>Not Included in NOI</td>
<td>25</td>
<td>According to the requirements in Part I.C.2.b.(i),(f), the permittee shall monitor or assess progress in achieving measurable goals and determining the effectiveness of BMPs, and shall include documentation of this monitoring or assessment in the SWMP and annual reports. In addition, the SWMP must include methods to be used. This program element may be coordinated with the monitoring required in Part III.A. The permittee may use the following methods either individually or in conjunction to evaluate progress towards the measurable goal and improvements in water quality as follows: A. Evaluating Program Implementation Measures or B. Assessing Improvements in Water Quality. Progress towards achieving the measurable goal shall be reported in the annual report. Annual reports shall report the measurable goal and the year(s) during the permit term that the MS4 conducted additional sampling or other assessment activities.</td>
<td>SSCAFCA will assess and evaluate the program and progress in achieving the measurable goals listed above by tracking the number of educational outreach opportunities conducted and tracking the number of people reached through the educational outreach program. In addition, SSCAFCA will conduct compliance monitoring to monitor and test for E. coli. This sampling will be done in accordance with Part III.A of the MS4 Permit and will help with a water quality assessment of the overall watershed related to E. coli. The proposed plan for this program is described in the Wet Weather Monitoring Program portion of this SWMP.</td>
<td>• SSCAFCA will include the MRGSWQT Outcomes Report in each Annual Report which will track the number of educational outreach opportunities conducted and list the number of people reached through the educational outreach program with a target, in conjunction with other MRGSWQT members, of delivering educational programming, information, and materials to 1% more people. • SSCAFCA will conduct stormwater monitoring in accordance with Table 10, Wet Weather Monitoring Program, Part III.A.1. The goals and plan for this program are described in the Wet Weather Monitoring Program portion of this SWMP.</td>
<td>Address monitoring and assessment of measurable goals of targeted controls in SWMP. Progress report submitted with each Annual Report (Due Dec. 1).</td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
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<td>Not Included in NOI</td>
<td>26</td>
<td>If, by the end of the 3rd year from the effective date of the permit, the permittee observes no progress toward the measurable goal either from program implementation or water quality assessments, the permittee shall identify alternative focused BMPs that address new or increased efforts towards the measurable goal. As appropriate, the MS4 may develop a new approach to identify the most significant sources of the pollutant(s) of concern and shall develop alternative focused BMPs (this may also include information that identifies issues beyond the MS4's control). These revised BMPs must be included in the SWMP and subsequent annual reports. Where the permittee originally used a measurable goal based on an aggregated WLA, the permittee may combine or share efforts with other MS4s discharging to the same impaired stream segment to determine an alternative sub-measurable goal for the pollutant(s) of concern for their respective MS4s, as described in Part I.C.2.b.(i),(c),(d) above. Permittees must document the proposed schedule for the development and subsequent adoption of alternative measurable goals for the pollutant(s) of concern for their respective MS4s and associated assessment of progress in meeting those individual goals.</td>
<td>SSCAFCA will annually assess and evaluate the program and progress in achieving the measurable goals listed above. If, by the end of the 3rd year from the effective date of the MS4 Permit, SSCAFCA observes no progress toward the measurable goals either from program implementation or water quality assessments, SSCAFCA will reevaluate the program and identify alternative focused BMPs that address new or increased efforts towards the measurable goals.</td>
<td>• If, by the end of the 3rd year from the effective date of the MS4 Permit, SSCAFCA observes no progress toward the measurable goals either from program implementation or water quality assessments, SSCAFCA will reevaluate the program and identify alternative focused BMPs that address new or increased efforts towards the measurable goals.</td>
<td>If required, end of the third year from the effective date of the permit.</td>
<td>Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
<td></td>
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</tbody>
</table>
### NOI Section ID

**Permit Activity Description**

<table>
<thead>
<tr>
<th>NOI Section</th>
<th>ID</th>
<th>From Table 1.a, Identify potential significant sources of the pollutant of concern entering your MS4.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Included in NOI</td>
<td>27</td>
<td>In 2014-2015, members of the MRGSWQT contracted with a consultant to resudy the bacteria within the Middle Rio Grande, specifically to evaluate the bacteria data over the recent history to report the trend analysis and the impact to the Rio Grande. The report for this study - Middle Rio Grande Rio Grande E. coli Analysis and Research report for AMAFCA by water quality on-call engineer (CDM Smith) - is included in AMAFCA's 2015 Annual Report, Attachment II.A. <strong>• Members of the MRGSWQT have completed several studies related to identifying potential significant sources of the pollutant of concern entering the MRG Watershed MS4 area. The results of these studies will be used to guide the overall program plan and goals.</strong></td>
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<td></td>
<td></td>
<td><strong>• SSCAFCA has deployed “poop stations” at three of its highest intensity pedestrian facilities in its jurisdiction. During maintenance of these stations, SSCAFCA will track by weight the volume of material collected, for the remainder of the permit cycle.</strong></td>
</tr>
<tr>
<td>Program Lead:</td>
<td></td>
<td>SSCAFCA's Facility Operations Director</td>
</tr>
<tr>
<td>Program Implementation:</td>
<td></td>
<td>Facility Operations Director, Field Engineer, and Executive Engineer</td>
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</tbody>
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<table>
<thead>
<tr>
<th>NOI Section</th>
<th>ID</th>
<th>From Table 1.a, Develop (or modify an existing program for prior permittees under NMS000101) and implement a public education program to reduce the discharge of bacteria in municipal stormwater contributed by (if applicable) by pets, recreational and exhibition livestock, and zoos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Included in NOI</td>
<td>28</td>
<td>As stated above, SSCAFCA will continue its focus on reducing pet waste through its &quot;Poop Fairy&quot; campaign and through continued involvement with the MRGWSWQT educational outreach &quot;Scoop the Poop&quot; campaign. <strong>Refer to Public Education and Outreach component of SWMP.</strong> <strong>• SSCAFCA will continue its &quot;Poop Fairy&quot; campaign with signage and/or flagging of pet waste along pedestrian areas</strong> <strong>• SSCAFCA will contribute and participate in the MRGWSWQT.</strong> <strong>• SSCAFCA will include the MRGWSWQT Outcomes Report in each Annual Report which will summarize the activities or planned activities related to targeting pet waste sources and residential education targeting bacteria sources.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Apr. 2016</td>
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<tr>
<td>Program Lead:</td>
<td></td>
<td>SSCAFCA's Facility Operations Director</td>
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<td>Program Implementation:</td>
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<tr>
<th>NOI Section</th>
<th>ID</th>
<th>From Table 1.a, Develop (or modify an existing program for prior permittees under NMS000101) and implement a program to reduce the discharge of bacteria in municipal stormwater contributed by areas within your MS4 served by on-site wastewater treatment systems.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Included in NOI</td>
<td>29</td>
<td>SSCAFCA does not have on-site wastewater treatment systems on SSCAFCA-owned property and has no statutory authority to regulate on-site sewage treatment systems <strong>• Not applicable</strong></td>
</tr>
<tr>
<td>Program Lead:</td>
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<td>SSCAFCA's Facility Operations Director</td>
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<tr>
<td>Program Implementation:</td>
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<tr>
<th>NOI Section</th>
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<th>From Table 1.a, Review results to date from the Illicit Discharge Detection and Elimination program (see Part I.D.5.e) and modify as necessary to prioritize the detection and elimination of discharges contributing bacteria to the MS4.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Included in NOI</td>
<td>30</td>
<td>SSCAFCA will incorporate this Permit requirement into the IDDE program, refer to the SWMP - Table 6: Illicit Discharges and Improper Disposal - for additional information. <strong>• SSCAFCA addresses this Permit activity in the IDDE Program, refer to the SWMP - Table 6: Illicit Discharges and Improper Disposal - for additional information.</strong> <strong>• SSCAFCA will coordinate with surrounding MS4s with regard to IDDE detected within their jurisdictions to prioritize inspections of SSCAFCA facilities</strong> <strong>• Coordinate with surrounding MS4s quarterly to identify locations of IDDE activity and assess potential impacts on SSCAFCA-owned property. Reprioritize inspections as needed</strong></td>
</tr>
<tr>
<td>Program Lead:</td>
<td></td>
<td>SSCAFCA's Facility Operations Director</td>
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### Table 1.a

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<td>Not Included in NOI</td>
<td>31</td>
<td>From Table 1.a, Develop (or modify an existing program- for prior permittees under NMS000101) and implement a program to reduce the discharge of bacteria in municipal stormwater contributed by other significant source identified in the Illicit Discharge Detection and Elimination program (see Part I.D.5.e).</td>
<td>This requirement will be addressed in conjunction with SSCAFCA’s IDDE Program, refer to the SWMP - Table 6: Illicit Discharges and Improper Disposal - for additional information. SSCAFCA will review its IDDE Program results annually and identify illicit discharges (specific as well as general types of discharges and/or locations of discharges) that contributed bacteria to the MS4. Strategies will be developed to address these specific or general IDDEs. Development and implementation of strategies will depend on the results. These strategies will be reported in subsequent Annual Reports.</td>
<td>• SSCAFCA will review its IDDE Program results annually and identify illicit discharges that contributed bacteria to the MS4. • SSCAFCA will develop strategies to address IDDEs found to contribute bacteria. The development and implementation of strategies will depend on the results. These strategies will be reported in subsequent Annual Reports.</td>
<td>16 months (if alone) or 10 months (cooperative) from effective date of MS4 Permit</td>
<td>Aug. 2016</td>
<td></td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
</tr>
<tr>
<td>Not Included in NOI</td>
<td>32</td>
<td>Include in the Annual Reports progress on program implementation and reducing the bacteria and updates their measurable goals as necessary. As required in Part I.C.2.b(ii)(d), the annual report must include an analysis of how the selected BMPs have been effective in contributing to achieving the measurable goal and shall include graphic representation of pollutant trends, along with computations of annual percent reductions achieved from the baseline loads and comparisons with the target loads.</td>
<td>SSCAFCA will include the MRGBWQT Outcomes Report in each Annual Report which will track the number of educational outreach opportunities conducted, list the number of people reached through the educational outreach program, summarize the activities or planned activities related to targeting pet waste sources as well as residential education targeting bacteria sources. In addition, if strategies are developed to address IDDEs found to contribute bacteria to the MS4, these will be reported in subsequent Annual Reports. SSCAFCA will report annually on compliance monitoring to monitor and test for E. coli. This reporting will be done in accordance with Part III.A (Wet Weather Monitoring Program) of the MS4 Permit and will help with a water quality assessment of the overall watershed related to E. coli. Graphical representation of E. coli trends will also be completed and reported annually.</td>
<td>• SSCAFCA will include the MRGBWQT Outcomes Report in each Annual Report. • Strategies developed to address IDDEs found to contribute bacteria to the MS4 will be reported in subsequent Annual Reports. • SSCAFCA will report annually on compliance monitoring to monitor and test for E. coli. This reporting will be done in accordance with Part III.A (Wet Weather Monitoring Program) of the MS4 Permit. This will include graphical representation of E. coli trends.</td>
<td>Annual Report (due Dec. 1)</td>
<td>Update as necessary</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
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<tr>
<td>Not Included in NOI</td>
<td>33</td>
<td>Discharges to Impaired Waters Without Approved TMDLs - Part I.C.2.b.(ii)</td>
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<td></td>
<td>34</td>
<td>According to the requirements in Part I.C.2.b.(ii), if the permittee discharges directly into an impaired water body without an approved TMDL, the permittee shall perform the following activities (described in sections below).</td>
<td>The Rio Grande has the following impairments, without TMDLs: • Rio Grande (Isleta Pueblo to US 550) - DO and PCBs in Fish Tissue; • Rio Grande (Alameda to US 550) - PCBs and Gross Alpha adjusted; • Rio Grande (Isleta Pueblo to Alameda) - water temperature The Tijeras Arroyo, upstream of the Four Hills Bridge, is impaired for nutrient/eutrophication. The Tijeras Arroyo, upstream of the Four Hills Bridge, is all privately owned land. SSCAFCA has no operation authority in the Tijeras Arroyo. Therefore, there are no requirements in this SWMP to comply with the activities and schedules related to Impairment for Nutrients in Table 1.b in Part I.C.2.b.(iii). SSCAFCA does monitor for nutrients through its Wet Weather Monitoring Program, see Table 10 of the SWMP.</td>
<td></td>
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<td></td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
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</table>

### Table 1.b

- Not Included in NOI
- From Table 1.a, Develop (or modify an existing program- for prior permittees under NMS000101) and implement a program to reduce the discharge of bacteria in municipal stormwater contributed by other significant source identified in the Illicit Discharge Detection and Elimination program (see Part I.D.5.e). This requirement will be addressed in conjunction with SSCAFCA’s IDDE Program, refer to the SWMP - Table 6: Illicit Discharges and Improper Disposal - for additional information. SSCAFCA will review its IDDE Program results annually and identify illicit discharges (specific as well as general types of discharges and/or locations of discharges) that contributed bacteria to the MS4. Strategies will be developed to address these specific or general IDDEs. Development and implementation of strategies will depend on the results. These strategies will be reported in subsequent Annual Reports.

- According to the requirements in Part I.C.2.b.(ii), if the permittee discharges directly into an impaired water body without an approved TMDL, the permittee shall perform the following activities (described in sections below).

### Table 1.c

- Not Included in NOI
- The Rio Grande has the following impairments, without TMDLs: • Rio Grande (Isleta Pueblo to US 550) - DO and PCBs in Fish Tissue; • Rio Grande (Alameda to US 550) - PCBs and Gross Alpha adjusted; • Rio Grande (Isleta Pueblo to Alameda) - water temperature The Tijeras Arroyo, upstream of the Four Hills Bridge, is impaired for nutrient/eutrophication. The Tijeras Arroyo, upstream of the Four Hills Bridge, is all privately owned land. SSCAFCA has no operation authority in the Tijeras Arroyo. Therefore, there are no requirements in this SWMP to comply with the activities and schedules related to Impairment for Nutrients in Table 1.b in Part I.C.2.b.(iii). SSCAFCA does monitor for nutrients through its Wet Weather Monitoring Program, see Table 10 of the SWMP.
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<tr>
<td>35</td>
<td>The permittee shall: A. Determine whether the MS4 may be a source of the pollutant(s) of concern by referring to the CWA §303(d) list and then determining if discharges from the MS4 would be likely to contain the pollutant(s) of concern at levels of concern. The evaluation of CWA §303(d) list parameters should be carried out based on an analysis of existing data (e.g., IDE Program) conducted within the permittee's jurisdiction. B. Ensure that the SWMP includes focused BMPs, and corresponding measurable goals, that the permittee will implement, to reduce, the discharge of pollutant(s) of concern that contribute to the impairment of the water body. Only applicable if the permittee determines that the MS4 may discharge the pollutant(s) of concern to an impaired water body without a TMDL. The SWMP submitted with the first annual report must include a detailed description of proposed controls to be implemented along with measurable goals. C. Amend the SWMP to include any BMPs to address the pollutant(s) of concern.</td>
<td>Most of the impaired pollutants of concern are specifically addressed in other sections of the MS4 Program and therefore in other sections of the SWMP. Please refer to: Dissolved Oxygen and Endangered Species Act (ESA) section - Part I.C.3.b; PCBs are addressed in Compliance with Water Quality Standards - PCBs - Part I.C.1.e; and Temperature is addressed in Compliance with Water Quality Standards - Temperature - Part I.C.3.b. Compliance monitoring (Part III.A) includes Gross Alpha testing. The testing will allow SSCAFCA to determine background level relative to stormwater discharges. Future assessment related to this impairment will be based on results of those samples.</td>
<td>• Refer to other SWMP sections for: - Dissolved Oxygen is addressed in the Endangered Species Act (ESA) section - Part I.C.3.b - PCBs are addressed in Compliance with Water Quality Standards - PCBs - Part I.C.1.e - Temperature is addressed in Compliance with Water Quality Standards - Temperature - Part I.C.1.e. - Compliance monitoring (Part III.A) includes Gross Alpha testing. Future assessment and strategies related to these impairments will be based on results of the stormwater samples.</td>
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### Endangered Species Act (ESA) Requirements - Sediment Pollutant Load Reduction Strategy - Part I.C.3.b

<table>
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<tr>
<td>36</td>
<td>According to the requirements in Part I.C.3.b, the permittee must develop, implement, and evaluate a sediment pollutant load reduction strategy to assess and reduce pollutant loads associated with sediment (e.g., metals, etc. adsorbed to or traveling with sediment, as opposed to clean sediment) into the receiving waters of the Rio Grande. The strategy must include the following elements (see sections below): SSSCAFCA's proposed plan for compliance with the Permit activities are described in the sections below.</td>
<td>SSSCAFCA's proposed plan for compliance with the Permit activities are described in the sections below.</td>
<td>SSSCAFCA's measurable goals for compliance with the Permit activities are described in the sections below.</td>
<td>See specific Permit activity schedules below.</td>
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Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer
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<tbody>
<tr>
<td>38</td>
<td>(i) Sediment Assessment: The permittee must identify and investigate areas within its jurisdiction that may be contributing excessive levels (e.g., levels that may contribute to exceedance of applicable Water Quality Standards) of pollutants in sediments to the receiving waters of the Rio Grande as a result of stormwater discharges. The permittee must identify structural elements, natural or man-made topographical and geographical formations, MS4 operations activities, and areas indicated as potential sources of sediments and pollutants in the receiving waters of the Rio Grande. At the time of assessment, the permittee shall record any observed erosion of soil or sediment along ephemeral channels, arroyos, or stream banks, noting the scouring or sedimentation in streams. The assessment should be made using available data from federal, state, or local studies supplemented as necessary with collection of additional data. The permittee must describe, in the first annual report, all standard operating procedures, quality assurance plans to assure that accurate data are collected, summarized, evaluated and reported.</td>
<td>All SSCAFCA projects are regional flood control or water quality projects. Stormwater runoff from other MS4s enter SSCAFCA facilities, which function as regional flood control facilities and also function as BMPs to remove sediment from stormwater before the stormwater continues to the Rio Grande. In the MRG MS4, SSCAFCA is not contributing to the sediment pollutant load, but rather functioning to capture the sediment pollutant load generated throughout the watershed by MS4s contributing runoff to SSCAFCA facilities. A large portion of SSCAFCA’s routine activities include sediment removal from its facilities. SSCAFCA has implemented a crew tracking system to measure the sediment removal quantities at all of its facilities. The data collected will be used by SSCAFCA for the required MS4 Sediment Assessment. In addition, SSCAFCA is in the implementation stages of a rainfall and runoff monitoring program to begin to quantitatively relate sediment removal to rainfall quantity, location, and runoff volume.</td>
<td>• SSCAFCA’s facilities function as BMPs for sediment removal. SSCAFCA’s O&amp;M activities, which include sediment removal, will be scheduled, tracked, and evaluated for the Sediment Assessment requirement for this Permit activity. • SSCAFCA will document its procedure for sediment removal, scheduling, and tracking related to using this information for the Sediment Assessment. • SSCAFCA has installed its rainfall and runoff monitoring program to begin to quantitatively relate sediment removal to rainfall quantity, location, and runoff volume.</td>
<td>No Permit required schedule. Progress Report for the entire Sediment Pollutant Load Reductions Strategy to be submitted with the fifth Annual Report. Dec. 1, 2019</td>
<td></td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, Design Services Director, and Executive Engineer</td>
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</tr>
<tr>
<td>39</td>
<td>(ii) Estimate Baseline Loading: Based on the results of the sediment pollutants assessment required in Part I.C.3.b.(i) above, the permittee must provide estimates of baseline total sediment loading and relative potential for contamination of those sediments by urban activities for drainage areas, subwatersheds, Impervious Areas (IAs), and/or Directly Connected Impervious Area (DCIAs) draining directly to a surface waterbody or other feature used to convey waters of the United States. Sediment loads may be provided for targeted areas in the entire Middle Rio Grande Watershed using an individual or cooperative approach. Any data available and/or preliminary numeric modeling results may be used in estimating loads. The data collected in the Sediment Assessment will be used by SSCAFCA for estimating baseline sediment loading to its facilities. Rainfall events and generated runoff are related to loading (sediment transport). SSCAFCA is in the implementation stages of a rainfall and runoff monitoring program to begin to quantitatively tie sediment quantities reaching SSCAFCA facilities (sediment removal volumes) to rainfall quantity, location, and runoff volumes.</td>
<td>• SSCAFCA will utilize the data collected in the Sediment Assessment for estimating baseline sediment loading to its facilities. • SSCAFCA has revamped its field inspection process to better collect sediment removal activities to provide guidance for baseline loading. • SSCAFCA has installed its rainfall and runoff monitoring program to begin to quantitatively tie sediment removal to rainfall quantity, location, and runoff volume.</td>
<td>No Permit required schedule. Interim reporting on progress required annually. Progress Report for the entire Sediment Pollutant Load Reductions Strategy to be submitted with the fifth Annual Report. Dec. 1, 2019</td>
<td></td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
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### Section ID Permit Activity Description

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<td>40</td>
<td>(iii) Targeted Controls: Include a detailed description of all proposed targeted controls and BMPs that will be implemented to reduce sediment pollutant loads, calculated in Part I.C.3.b.(ii) above, during the next ten (10) years of permit issuance. For each targeted control, the permittee must include interim measurable goals (e.g., interim sediment pollutant load reductions) and an implementation and maintenance schedule, including interim milestones, for each control measure, and as appropriate, the months and years in which the MS4 will undertake the required actions. Any data available and/or preliminary numeric modeling results may be used in establishing the targeted controls, BMPs, and interim measurable goals. The permittee must prioritize pollutant load reduction efforts and target areas (e.g., drainage areas, subwatersheds, IAs, DCAs) that generate the highest annual average pollutant loads.</td>
<td>SSCAFCA facilities function as regional flood control facilities as well as BMPs to remove sediment from stormwater before the stormwater reaches the Rio Grande. In the MRG MS4, SSCAFCA is not contributing to the sediment pollutant load, but rather functioning to capture the sediment pollutant load generated throughout the watershed by MS4s contributing runoff to SSCAFCA facilities. As such, SSCAFCA does not want to reduce the sediment loads but rather implement targeted controls to increase the capture of sediment in its facilities. Analysis of the Sediment Assessment and Estimated Baseline Loading will be used by SSCAFCA to improve their program to target and prioritize sediment removal throughout the watershed. For existing facilities, SSCAFCA will begin adding a detailed description and photo for each facility to its tracking spreadsheet or program procedure.</td>
<td>• After analyzing the Sediment Assessment findings, SSCAFCA will improve this program and program tracking to meet the Permit activity requirements. • SSCAFCA has revamped its facility inspection process to collect photos and data on sediment loading for each of its facilities.</td>
<td>No Permit required schedule. Interim reporting on progress required annually. Progress Report for the entire Sediment Pollutant Load Reductions Strategy to be submitted with the fifth Annual Report. Dec. 1, 2019</td>
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<td>(iv) Monitoring and Interim Reporting: The permittee shall monitor or assess progress in achieving interim measurable goals and determining the effectiveness of BMPs, and shall include documentation of this monitoring or assessment in the SWMP and annual reports. In addition, the SWMP must include methods to be used. This program element may be coordinated with the monitoring required in Part III.A.</td>
<td>SSCAFCA will annually assess progress for this program. SSCAFCA will monitor the volume of sediment captured by each of its facilities by measuring the volume of sediment removed from each facility. Documentation of this monitoring will be done using the tracking spreadsheet and procedure, which will be summarized in each Annual Report.</td>
<td>• SSCAFCA monitors sediment loading and removal. Removal is report to the USACE as part of our maintenance Letter of Permission. • SSCAFCA will include in each Annual Report a progress update for this program.</td>
<td>Update as necessary for SWMP and report on progress with each Annual Report.</td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
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<td>(v) Progress Evaluation and Reporting: The permittee must assess the overall success of the Sediment Pollutant Load Reduction Strategy and document both direct and indirect measurements of program effectiveness in a Progress Report to be submitted with the fifth Annual Report. Data must be analyzed, interpreted, and reported so that results can be applied to such purposes as documenting effectiveness of the BMPs and compliance with the ESA requirements specified in Part I.C.3.b. The Progress Report must include: (a) A list of species likely to be within the action area; (b) Type and number of structural BMPs installed; (c) Evaluation of pollutant source reduction effects; (d) Any recommendation based on program evaluation; (e) Description of how the interim sediment load reduction goals established in Part I.C.3.b.(iii) were achieved; and (f) Future planning activities needed to achieve increase of sediment load reduction required in Part I.C.3.d.(iii).</td>
<td>SSCAFCA facilities, function as regional flood control facilities as well as BMPs to remove sediment from stormwater before the stormwater reaches the Rio Grande. In the MRG MS4, AMAFCA is not contributing to the sediment pollutant load, but rather functioning to capture the sediment pollutant load generated throughout the watershed by MS4s contributing runoff to SSCAFCA facilities. As such, SSCAFCA does not want to reduce the sediment loads but rather implement targeted controls to increase the capture of sediment in its facilities. The Progress Report will document SSCAFCA's overall success and facility and program effectiveness.</td>
<td>• SSCAFCA will complete and provide to EPA with the fifth Annual Report, due Dec. 1, 2019, a Progress Report on the Sediment Pollutant Load Reduction Strategy. This Progress report will meet the Permit requirements.</td>
<td>Progress Report to be submitted with the fifth Annual Report Dec. 1, 2019</td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Facility Operations Director, Field Engineer, and Executive Engineer</td>
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<td>(vi) Critical Habitat: Verify that the installation of stormwater BMPs will not occur in or adversely affect currently listed endangered or threatened species critical habitat by reviewing the activities and locations of stormwater BMP installation within the location of critical habitat of currently listed endangered or threatened species at the FWS website <a href="http://criticalhabitat.fws.gov/crithab/">http://criticalhabitat.fws.gov/crithab/</a>.</td>
<td>SSAFCFA considers critical habitat for all of its projects, working closely with the USFWS and USACE, as required, and will continue this practice related to any BMPs installed.</td>
<td>• SSAFCFA will continue its practice of coordination with the USFWS and USACE, as required, related to SSAFCFA’s facility construction projects.</td>
<td>No Permit required schedule. Ongoing requirement of the MS4 Permit.</td>
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<td>Part I.D.5 - Stormwater Management Plan (SWMP) Control Measures</td>
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<td>5.a.(i) The permittee shall develop, revise, implement, and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. Permittees previously covered under permit NMS000101 or NMR040000 must continue existing programs, updating as necessary, to comply with the requirements of this permit. (Note: Highway Departments and Flood Control Authorities may only apply the construction site stormwater management program to the permittee’s own construction projects)</td>
<td>SSAFCFA does not have jurisdiction over the CoRR, VOC, TOB or Sandoval County departments responsible for planning, review, permitting or approval of public and private construction activities. However, SSAFCFA does have jurisdiction over SSAFCFA construction projects. Therefore, SSAFCFA’s Construction Site Stormwater Runoff Control Program (CSSRCP) addresses stormwater management during construction of SSAFCFA projects that result in a land disturbance of greater than or equal to one acre. Coordination will continue to occur between SSAFCFA’s Field Operations Director, Project Manager, Field Engineer, and Executive Engineer to ensure that the Program controls erosion and maintains sediment on site.</td>
<td>• Coordinate CSSRCP requirements (as detailed in Program and in sections below) with SSAFCFA’s Environmental Services Director, Project Managers, Field Services Director, and Executive Engineer. • Include CSSRCP requirement for 100% of SSAFCFA-owned projects that disturb more than one acre.</td>
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<td>Development of an ordinance or other regulatory mechanism as required in Part I.D.5.a.(ii)(a)</td>
<td>This permit activity was removed from SSAFCFA’s SWMP as it is not within SSAFCFA’s jurisdiction to enact ordinances or other legal authority mechanisms. Because SSAFCFA is strictly a flood control authority, the legal authority and jurisdiction granted to it by the State is limited. As a result, SSAFCFA is unable to develop, implement, and enforce ordinances, regulatory mechanisms, and requirements for construction site operators as required by this section. However, to the extent permitted by law, SSAFCFA will comply with the requirements of this section. As applicable, SSAFCFA will begin development of inserting MS4 Permit elements into construction contracts to provide SSAFCFA with a regulatory mechanism. SSAFCFA will also continue to work with the MS4 Technical Advisory Group (TAG) and other agencies to discuss and help develop regulatory mechanisms.</td>
<td>• Develop a directive from the SSAFCFA Executive Engineer to all SSAFCFA Project Managers (PM) requiring the PM to ensure that construction documents for SSAFCFA-owned projects require the implementation of structural BMPs during the construction process.</td>
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<td>Develop requirements and procedures as required in Part I.D.a(ii)(b) through Part I.D.a(ii)(h). These Permit sections include requirements for SSCAFCA to implement and enforce requirements for construction site operators to 1) implement appropriate erosion and sediment control BMPs - Part I.D.a(ii)(b) and 2) control waste at the construction site that may cause adverse impacts to water quality - Part I.D.a(ii)(c). Permit sections also include requirements to develop procedures for site plan review which incorporate consideration of potential water quality impacts - Part I.D.a(ii)(d); receipt and consideration of information submitted by the public - Part I.D.a(ii)(e); site inspection (during construction) and enforcement of control measures - Part I.D.a(ii)(f); to educate and train permittee personnel and developers, construction site operators, contractors and supporting personnel - Part I.D.a(ii)(g); and for keeping records of and tracking all regulated construction activities within the MS4 - Part I.D.a(ii)(h).</td>
<td>As part of SSSCAFCA’s Program, SSSCAFCA Project Managers will continue to review all site plans and the SWPPPs to ensure consistency with federal, state and local sediment and erosion control requirements for SSSCAFCA projects. SSSCAFCA staff performs and will continue to perform incremental reviews of all SSSCAFCA projects during design to assure quality control and design efficiency. SSSCAFCA will require submittal of required SWPPP inspection reports from a qualified inspector to the project manager. In addition, construction site SWPPPs will continue to be discussed at weekly construction meetings to ensure appropriate inspections and any needed corrective measures are implemented. SSSCAFCA will maintain records of all SSSCAFCA-led projects disturbing at least one acre within its rights-of-way. This will include SSSCAFCA’s CSSRCP records, including NDs, NOI tracking, inspection reports, non-conformance documents, and training documents.</td>
<td>• Review site plans and the SWPPPs for SSSCAFCA-owned projects disturbing at least one acre in order to consider potential water quality impacts and ensure consistency with federal, state and local sediment and erosion control requirements. Ensure SWPPPs for projects are developed by qualified individuals. • Conduct pre-construction meetings on SSSCAFCA-owned construction projects disturbing at least one acre prior to beginning earth-disturbing activities in order to discuss the SWPPP, NOI, NOT and BMPs. • SSSCAFCA will post the name and phone number of the SSSCAFCA PM at all required construction sites. Public information received will be reviewed by the SSSCAFCA PM and acted on appropriately. • SSSCAFCA will maintain records of all SSSCAFCA-owned construction projects disturbing at least one acre within its rights-of-way. • SSSCAFCA PMs will receive periodic training on CSSRCP requirements.</td>
<td>Jun. 2016</td>
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<td>Annually conduct site inspections of 100 percent of all construction projects cumulatively disturbing one (1) or more acres as required in Part I.D.a(ii)</td>
<td>As part of SSSCAFCA’s Program, SSSCAFCA Project Managers will continue to require field inspections by qualified individuals on SSSCAFCA construction projects which disturb at least one acre at the Construction General Permit required inspection frequency. Should the contractor fail to operate, maintain and repair the BMPs and control measures, SSSCAFCA staff have the contractual authority to temporarily suspend work, withhold/stop payment, or terminate the contract should such issues go uncorrected.</td>
<td>• SSSCAFCA will complete, or have completed by qualified individuals, inspections for 100% of the active construction sites under contract by SSSCAFCA which disturb at least one acre. • SSSCAFCA will maintain copies of the completed SWPPP inspection forms. • SSSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande.</td>
<td>Dec. 2016</td>
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Program Lead: SSSCAFCA's Environmental Services Director
Program Implementation: SSSCAFCA Project Managers, Field Services Director, and Executive Engineer
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<td>1.4 50</td>
<td>Coordinate with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction projects/activities within the permit area as required in Part I.D.a.(iv). Planning documents include, but are not limited to: comprehensive or master plans, subdivision ordinances, general land use plan, zoning code, transportation master plan, specific area plans, such as sector plan, site area plans, corridor plans, or unified development ordinances. SSCAFCA does not have jurisdiction over the planning, review, permitting, or approval of non-SSCAFCA public and private construction activities. Therefore, SSSCAFCA's program is limited to SSSCAFCA-owned properties. However, in cooperation with the CoRR, SSCAFCA Design Services Director reviews private development having a direct connection to SSSCAFCA facilities for projects disturbing at least one acre. Review includes stormwater conveyance, water quality and erosion control.</td>
<td>• SSCAFCA will continue regular coordination amongst SSSCAFCA engineering staff and Board members to verify that BMPs are in place to control erosion during construction on SSSCAFCA-owned projects.</td>
<td>10 months from effective date of MS4 Permit</td>
<td>Oct. 22, 2015</td>
<td>Feb. 2016</td>
<td>Program Lead: SSSCAFCA's Design Services Director Program Implementation: Project Managers, Facility Operations Director, Executive Engineer, and SSSCAFCA Board</td>
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<td>1.5 51</td>
<td>Evaluation of Gi/LID/Sustainable practices in site plan reviews as required in Part I.D.a.(v). The site plan review must include an evaluation of opportunities for use of Gi/LID/Sustainable practices and when the opportunity exists, encourage project proponents to incorporate such practices into the site design to mimic the pre-development hydrology of the previously undeveloped site. For purposes of this permit, pre-development hydrology shall be met according to Part I.D.5.b of this permit (consistent with any limitations on that capture). Include a reporting requirement of the number of plans that had opportunities to implement these practices and how many incorporated these practices. SSSCAFCA does not have jurisdiction over site plan reviews of public and private construction activities and SSSCAFCA does not program any development type projects. However, SSSCAFCA will participate in Design Review Committee with other Sandoval County entities on the review of plans. SSSCAFCA will continue to encourage use of sustainable practices during the review phase of projects within SSSCAFCA's right-of-ways. SSSCAFCA will encourage an evaluation of sustainable Gi/LID practice opportunities within the watershed. SSSCAFCA will review SSSCAFCA-owned construction projects for potential Gi/LID/Sustainable practice opportunities.</td>
<td>• SSCAFCA will annually report the number of plans that were reviewed within SSSCAFCA's right-of-ways that had opportunities to implement Gi/LID/Sustainable practices and how many incorporated these practices.</td>
<td>14 months (cooperative) from effective date of MS4 Permit</td>
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<td>Project Lead: SSSCAFCA's Design Services Director Program Implementation: Project Managers, Facility Operations Director, and Executive Engineer</td>
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<td>Not Included in NOI 52</td>
<td>Update the SWMP document and annual report as required in Part I.D.5.a.(vi) and in Part I.D.5.a.(vii) SSSCAFCA will include in each annual report a summary of the number and frequency of site reviews and inspections activities that are conducted annually and cumulatively during the permit term.</td>
<td>• Annually evaluate and revise the CSSRCP, as necessary, to ensure that SSSCAFCA's Program meets the MS4 Permit requirements. • Include in each annual report a summary of the number and frequency of site reviews and inspection activities that are conducted annually and cumulatively during the permit term.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
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<td>Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Project Managers, Design Services Director, Field Engineer, and Executive Engineer</td>
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<td>Enhance the program to include the elements in Part I.D.5.a.(viii) through part I.D.5.a.(x). These include: (viii) Use of stormwater educational materials; (ix) Develop or update existing construction handbooks; and (x) construction inspections may be carried out in conjunction with other inspections and use a screening prioritization process.</td>
<td>SSCAFCA will continue to use stormwater educational materials, either developed locally or provided by EPA, NMED environmental, public interest, trade organizations, and/or other MS4s. SSCAFCA will work with other MS4s through the TAG to enhance the program to include program elements in Part I.D.5.a.(viii) through Part I.D.5.a.(x).</td>
<td>• SSCAFCA will include the MRGSWQT Outcomes Report in each Annual Report which will summarize the activities where educational materials were dispersed and shared with the public. • SSCAFCA will continue to attend and participate in the TAG to exchange information with other MS4s regarding potential program enhancements.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
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<td>53</td>
<td>TABLE 3: Post-Construction Stormwater Management in New Development and Redevelopment- Part I.D.5.b</td>
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<td>Part I.D.5.b(i) The permittee must develop, revise, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts. Permittees previously covered under NMS000101 or NMR040000 must continue existing programs, updating as necessary, to comply with the requirements of this permit. (Note: Highway Departments and Flood Control Authorities may only apply the post-construction stormwater management program to the permittee’s own construction projects).</td>
<td>SSCAFCA does not have any development or redevelopment projects – all SSCAFCA projects are regional flood control or water quality projects. SSCAFCA does not have jurisdiction over private or public (non-SSCAFCA) development or redevelopment projects – this responsibility lies with the CoRR, NMEDOT, VOC, TOB or Sandoval County. SSCAFCA facilities receive stormwater after it flows through new development and redevelopment. As a result, most permit activities in this section apply only to SSSCAFCA-owned projects.</td>
<td>• Coordinate O&amp;M activities with SSSCAFCA’s Facility Operations Director, Field Engineer, Design Services Director, Watershed Scientist and Executive Engineer.</td>
<td>See specific Permit activity schedules below.</td>
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<td>Development of strategies as required in Part I.D.5.b.(ii).a. Strategies which include a combination of structural and/or non-structural best management practices (BMPs) to control pollutants in stormwater runoff.</td>
<td>SSSCAFCA does not have jurisdictional authority pertaining to development or redevelopment activities. All SSSCAFCA projects are regional flood control or stormwater quality projects - functioning as BMPs. SSSCAFCA will continue to include both structural and non-structural BMPs to control pollutants in stormwater runoff from SSSCAFCA owned facilities.</td>
<td>SSSCAFCA will continue to include both structural and non-structural BMPs to control pollutants in stormwater runoff from SSSCAFCA owned facilities.</td>
<td>10 months from effective date of MS4 Permit Oct. 22, 2015</td>
<td>Feb. 2016</td>
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<td>Development of an ordinance or other regulatory mechanism as required in Part I.D.5.b.(i)(b)</td>
<td>It is not within SSCAFCA’s statutory authority to develop or enact ordinances or other legal authority mechanisms. SSCAFCA is unable to develop, implement, or enforce any ordinances or regulatory mechanisms required in this section. SSSCAFCA will continue to work with the MS4 Technical Advisory Group (TAG) and other agencies to discuss and help develop regulatory mechanisms.</td>
<td>SSSCAFCA will continue to work with the MS4 Technical Advisory Group (TAG) and other agencies to discuss and help develop regulatory mechanisms.</td>
<td>24 months (cooperative) from effective date of MS4 Permit Dec. 22, 2016</td>
<td>Dec. 2017</td>
<td>Program Lead: SSSCAFCA’s Field Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>Implementation and enforcement, via the ordinance or other regulatory mechanism of site design standards as required in Part I.D.5.b.(i)(b).</td>
<td>It is not within SSSCAFCA’s statutory authority to enact ordinances or other legal authority mechanisms. SSSCAFCA is unable to develop, implement, or enforce any ordinances or regulatory mechanisms required in this section. On SSSCAFCA-owned projects where appropriate (e.g. Administrative Offices, maintenance yards, etc.) SSSCAFCA will require, via design and construction documents, design and implementation of post-construction BMPs.</td>
<td>SSSCAFCA will develop strategies to administratively or contractually address post-construction peak flow runoff from new development and redevelopment projects within SSSCAFCA’s jurisdiction and/or right of ways to the extent allowable under State, Tribal, or local law.</td>
<td>16 months (cooperative) from effective date of MS4 Permit Dec. 22, 2017</td>
<td>Dec. 2018</td>
<td>Program Lead: SSSCAFCA’s Field Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>Ensure appropriate implementation of post-construction structural controls as required in Part I.D.5.b.(ii)(c) and Part I.D.5.b.(ii)(d).</td>
<td>SSSCAFCA will continue to ensure the appropriate implementation of structural BMPs through: pre-construction design review (see Table 2: Construction Site Stormwater Runoff Control program), inspection during construction, Post-Construction inspection and maintenance (SSSCAFCA’s routine O&amp;M activities address post-construction stormwater management), and penalty provisions for construction noncompliance on SSSCAFCA-owned projects. For watershed cooperative elements, SSSCAFCA is a member of the MS4 TAG cooperative group and will exchange information regarding training opportunities for staff as well as technical information in that group context.</td>
<td>Ongoing coordination on O&amp;M activities with SSSCAFCA’s Facility Director, Project Managers, Field Engineer, Design Services Director and Executive Engineer.</td>
<td>10 months from effective date of MS4 Permit Oct. 22, 2015</td>
<td>Jun. 2017</td>
<td>Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Project Managers, Field Engineer, Design Services Director and Executive Engineer</td>
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<td>Develop procedures as required in Part I.D.5.b.(ii). (e) - for educational program for project developers; Part I.D.5.b.(ii). (f) - site inspections and enforcement for long-term operation, maintenance, and repair of BMPs; Part I.D.5.b.(ii). (g) - control of discharge related to pesticides, herbicides, and fertilizer; and Part I.D.5.b.(ii). (h) - review and update of the post-construction program.</td>
<td>I.D.5.b.(ii). (e) - As a cooperative program, SSCAFCA contributes to the MRGWSQT, which includes training on GI/LID and sustainability practices. This is achieved by sponsoring conferences featuring GI/LID lectures, such as the Land and Water Summit. Reporting on the MRGWSQT activities will be part of TABLE B: Public Education and Outreach on Stormwater Impacts - Part I.D.5.g. I.D.5.b.(ii). (f) - SSCAFCA is responsible for all long-term inspection, operation, maintenance, and repair of its own facilities. SSCAFCA will perform inspections, maintenance and repair on a pre and post-monsoon cycle. I.D.5.b.(ii). (g) - SSCAFCA will only allow certified staff or professionally licensed contractors to apply herbicides within SSCAFCA right-of-way (SSCAFCA does not apply pesticides or fertilizers in its operations). This is covered in TABLE 4 - Pollution Prevention/Good Housekeeping for Municipal/Co-permittee Operations - Part I.D.5.c. I.D.5.b.(ii). (h) - SSCAFCA's routine O&amp;M activities address post-construction stormwater management at all SSCAFCA facilities.</td>
<td>• SSCAFCA will include the MRGWSQT Outcomes Report in each Annual Report which will summarize, if applicable, the activities where educational materials were dispersed and shared with project developers.</td>
<td>18 months (cooperative) from effective date of MS4 Permit</td>
<td>June 22, 2016</td>
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<td>Coordinate internally with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction projects/activities within the permit area as required in Part I.D.5.b.(iii) related to developed hydrology mimicking pre-development hydrology.</td>
<td>• SSCAFCA will coordinate internally on studies and projects for MS4 Permit compliance with developed hydrology mimicking pre-development hydrology. SSCAFCA will abide by the NM OSE rule and plan/design its facilities to drain within 96 hours per the OSE requirements.</td>
<td>10 months from effective date of MS4 Permit</td>
<td>Oct. 22, 2015</td>
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<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Design Services Director, Project Managers, Field Engineer, Watershed Scientist, and Executive Engineer</td>
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As required in Part I.D.5.b.(iv), the permittee must assess all existing codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices.

SSCAFCA does not have jurisdictional authority pertaining to codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices. SSCAFCA is unable to develop, implement, or enforce any ordinances or regulatory mechanisms required in this section.

SSCAFCA will assess existing codes, ordinances, planning documents and other applicable regulations for impediments to the use of GI/LID/Sustainable practices.

The NM OSE regulates the water delivery to the Rio Grande in order to meet water delivery requirements to Texas; therefore, SSCAFCA’s objective is to design its facilities to drain within 96 hours per the OSE requirements.

- SSCAFCA has assessed existing codes, ordinances, planning documents and other applicable regulations for impediments to the use of GI/LID/Sustainable practices that SSCAFCA has jurisdiction over. No impediments were identified within SSSCAFCA’s documents

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<tr>
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<th>Measurable Goal</th>
<th>Permit Required Implementation Schedule</th>
<th>Cooperative Implementation Schedule</th>
<th>Milestone Implementation Schedule</th>
<th>Responsible Personnel</th>
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<tr>
<td>2.7</td>
<td>62</td>
<td>As required in Part I.D.5.b.(iv), the permittee must assess all existing codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices.</td>
<td>SSSCAFCA does not have jurisdictional authority pertaining to codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices. SSSCAFCA is unable to develop, implement, or enforce any ordinances or regulatory mechanisms required in this section. SSSCAFCA will assess existing codes, ordinances, planning documents and other applicable regulations for impediments to the use of GI/LID/Sustainable practices. The NM OSE regulates the water delivery to the Rio Grande in order to meet water delivery requirements to Texas; therefore, SSSCAFCA’s objective is to design its facilities to drain within 96 hours per the OSE requirements.</td>
<td>2 years from effective date of MS4 Permit Dec. 22, 2016</td>
<td>Dec. 2016</td>
<td>N/A</td>
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<td>2.8 63</td>
<td>As required in Part I.D.5.b.(iv), develop and submit a report of the assessment findings on GI/LID/Sustainable practices.</td>
<td>SSCAFCA does not have jurisdictional authority pertaining to codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices. However, to the extent permitted by law, SSCAFCA will comply with the requirements of this section.</td>
<td>• SSSCAFCA will develop and submit a report of the assessment findings on GI/LID/Sustainable practices. This will be completed in by March 2017 and submitted to the EPA with the Annual Report, due Dec. 1, 2017.</td>
<td>17 months (cooperative) from effective date of MS4 Permit</td>
<td>March 22, 2017</td>
<td>N/A</td>
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<td>2.9 64</td>
<td>Estimation of the number of acres of IA and DCIA as required in Part I.D.5.6.(iv).</td>
<td>SSSCAFCA will estimate the IA and DCIA within SSSCAFCA’s jurisdiction and/or right of way.</td>
<td>• SSSCAFCA will estimate the IA and DCIA within SSSCAFCA’s jurisdiction and/or right of way. This will be done annually as part of the Annual Report preparation. This will be a cooperative effort with other Middle Rio Grande MS4s.</td>
<td>10 months (cooperative) from effective date of MS4 Permit</td>
<td>June 2017</td>
<td>N/A</td>
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<td>2.10 65</td>
<td>Inventory and priority ranking as required in Part I.D.5.b.(vii) for MS4-owned property and infrastructure (including public right-of-way) that may have the potential to be retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges to and from its MS4.</td>
<td>SSSCAFCA will continue to keep an inventory and develop a priority ranking of SSSCAFCA owned properties and facilities that may have the potential for retrofitted control measures and stormwater quality facilities and BMPs. SSSCAFCA will continue to meet with MS4s to discuss areas requiring drainage and water quality retrofits, project priorities, and multi-agency funding. Internally, using the Project Schedule, water quality projects and water quality retrofit projects will be prioritized. SSSCAFCA will evaluate the existing BMPs based on their effectiveness and capacity in order to identify where additional BMPs are needed. Many of SSSCAFCA’s facilities are relatively new and have been equipped with water quality structures within the facilities. SSSCAFCA will continue to invite all MS4s to the series of meetings for project planning on infrastructure retrofitting. SSSCAFCA is also a member of the MS4 TAG cooperative group. The NM Office of the State Engineer (OSE) regulates the water delivery to the Rio Grande in order to meet water delivery requirements to Texas; therefore, SSSCAFCA’s objective is to design its facilities to drain within 96 hours per the OSE requirements.</td>
<td>• SSSCAFCA will continue to meet with agencies within its jurisdiction to discuss the areas requiring drainage and water quality retrofitting within the Middle Rio Grande Watershed, project priorities, and multi-agency funding contributions. • SSSCAFCA will utilize the Project Schedule to prioritize water quality projects and water quality retrofit projects. • SSSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande. • SSSCAFCA will evaluate the existing BMPs within its most urbanized watershed, the Montoya Arroyo watershed, based on their effectiveness and capacity. These studies will provide the basis for determining where additional BMPs may be required within this watershed.</td>
<td>42 months (cooperative) from effective date of MS4 Permit</td>
<td>June 2018</td>
<td>Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist and Executive Engineer</td>
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<td>2.11 66</td>
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<td>Incorporate watershed protection elements into regular planning or policy documents as required in Part I.D.5.b.(viii). As applicable to each permittee’s MS4 jurisdiction, policy and/or planning documents must include the following:</td>
<td>Part I.D.5.b.(viii). (a) - SSCAFCA will continue to produce and publish the annual Infrastructure Capital Improvement Plan (ICIP) for all regional drainage and water quality projects within SSCAFCA’s jurisdiction that will either be led by SSCAFCA. For SSCAFCA projects, watershed protection elements will be incorporated when feasible into drainage management plans, as appropriate, in order to identify watersheds which can be retrofitted with regional water quality facilities. Part I.D.5.b.(viii). (b) - This section is not applicable to SSCAFCA’s projects, which are regional flood control or water quality projects. Part I.D.5.b.(viii). (c) - During planning of SSCAFCA projects, environmentally and ecologically sensitive areas that provide water quality benefits and serve critical watershed functions within the MS4 and ensure requirements to preserve, protect, create and/or restore these areas are developed and implemented during the plan and design phases of projects in these identified areas.</td>
<td>• Produce and publish the SSCAFCA ICIP annually.  • SSCAFCA will participate in meetings for project planning of infrastructure retrofitting either on a watershed wide or regional scale.  • For projects led by SSCAFCA, watershed protection elements will be incorporated into Drainage Management Plans, as appropriate, in order to identify watersheds which potentially can be retrofitted with regional water quality facilities.</td>
<td>10 months from effective date of MS4 Permit</td>
<td></td>
<td>June 2017</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director  Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer  Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer</td>
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<td>2.11</td>
<td>Continuation of incorporate watershed protection elements into regular planning or policy documents as required in Part I.D.5.b.(viii). (d) Implement stormwater management practices that minimize water quality impacts to streams, including disconnecting direct discharges to surface waters from impervious surfaces such as parking lots. (e) Implement stormwater management practices that protect and enhance groundwater recharge as allowed under the applicable water rights laws. (f) Develop and implement policies to protect native soils, prevent topsoil stripping, and prevent compaction of soils. (h) The program must be specifically tailored to address local community needs (e.g. protection to drinking water sources, reduction of water quality impacts) and must be designed to attempt to maintain pre-development runoff conditions.</td>
<td>Part I D 5 b viii (d) - This section is not applicable to SSCAFCA's projects, which are regional flood control or water quality projects. Part I D 5 b viii (e) - The NM OSE regulates the water delivery to the Rio Grande in order to meet water delivery requirements to Texas; therefore, SSSCAFCA’s objective is to design its facilities to drain within 96 hours per the OSE requirements. Part I D 5 b viii (f) - SSSCAFCA projects, to the extent feasible, will seek to avoid or prevent hydromodification of streams and other water bodies caused by development, including roads, highways, and bridges. Part I D 5 b viii (h) - SSSCAFCA does not have jurisdictional authority pertaining to development or redevelopment activities. However, through SSSCAFCA’s involvement with the MRGSWQT, SSSCAFCA will support programs tailored to address local community needs and are designed to attempt to maintain pre-development runoff conditions.</td>
<td>• SSSCAFCA will develop a written procedure that includes applicable watershed protection elements in Part I D 5 b viii (g) as required in the MS4 Permit and as applicable to SSSCAFCA. • SSSCAFCA will continue to contribute and participate in the MRGSWQT, which supports programs tailored to address local community needs and are designed to attempt to maintain pre-development runoff conditions.</td>
<td>10 months from effective date of MS4 Permit</td>
<td>June 2017</td>
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<td>Not Included in NOI</td>
<td>Update the SWMP document and annual report as required in Part I.D.5.b.(xx) and Part I.D.5.b.(x). The following information must be included in each annual report: (a) Include a summary and analysis of all maintenance, inspections and enforcement, and the number and frequency of inspections performed annually. (b) A cumulative listing of the annual modifications made to the Post-Construction Stormwater Management Program, and (c) According to the schedule presented in Table 3, the permittee must: A. Report the number of MS4-owned properties and infrastructure that have been retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges. B. As required in Part I.D.5.b.(vi), report the tabulated results for IA and DCIA and its estimation methodology.</td>
<td>As required in Part I.D.5.b.(x),(a), SSSCAFCA tracks all crew activity related to maintenance of all SSSCAFCA-owned facilities. A summary of maintenance activities will be included in each annual report. SSSCAFCA does not have any development or redevelopment projects - all SSSCAFCA projects are regional flood control or water quality projects. As a result, most Permit activities in this section do not apply to SSSCAFCA. SSSCAFCA does not have a formal Post-Construction Stormwater Management Program, it is handles these activities through the routine O&amp;M activities at all SSSCAFCA facilities. Therefore, Part I.D.5.b.(x),(b) does not apply to SSSCAFCA. As required in Part I.D.5.b.(x),(c),(A), SSSCAFCA will report on properties and infrastructure within SSSCAFCA rights-of-way that have been retrofitted with control measures designed to control frequency, volume and peak intensity of stormwater discharges. SSSCAFCA will support other MRG permittees with their IA and DCIA reporting requirements in Part I.D.5.b.(x),(c),(B).</td>
<td>• SSSCAFCA will continue to track all maintenance activity related to maintenance of all SSSCAFCA owned water quality structures. A summary of the information will be included in each annual report. • SSSCAFCA will include a cumulative list of retrofitted SSSCAFCA facilities in each annual report. • SSSCAFCA will include changes to DCIA and IA for SSSCAFCA-owned facilities in each annual report. • SSSCAFCA will continue to provide MRG permittees with information to support their IA and DCIA reporting requirements to EPA.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist and Executive Engineer</td>
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Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist and Executive Engineer
## TABLE 4: Pollution Prevention/Good Housekeeping for Municipal/Co-permittee Operations - Part I.D.5.c

<table>
<thead>
<tr>
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<td>2.12</td>
<td>69</td>
<td><strong>Enhance the program to include the elements in Part I.D.5.b.(xi) and Part I.D.5.a.(xii).</strong> These include: (xi) Use of stormwater educational materials; (xii) Develop or update existing construction handbooks; and (x) participate in watershed planning efforts to aid with BMP selection and planning.</td>
<td>SSCAFCA will continue to use stormwater educational materials, either developed locally or provided by EPA, NMED environmental, public interest, trade organizations, and/or other MS4s. SSCAFCA will continue to participate in the watershed-planning efforts with other MS4s in order to publish the ICP annually. SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande.</td>
<td>• SSCAFCA will include the MRG5SWQT Outcomes Report in each Annual Report which will summarize the activities where educational materials were dispersed and shared with the public. • SSCAFCA will continue to contribute and participate in the MRG5SWQT, which supports post-construction programs. • SSCAFCA will participate in any meetings regarding watershed planning efforts. SSCAFCA will continue to produce and publish the SSCAFCA ICP annually. • SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<tr>
<td>70</td>
<td></td>
<td><strong>Develop or update the Pollution Prevention/Good Housekeeping program to include the elements in Part I.D.5.c.(i). Elements include: employee training program to incorporate pollution prevention and good housekeeping, including a tracking procedure (Part I.D.5.c.(i).(b)); O&amp;M activities, schedules, and long term inspections procedures for structural and non-structural stormwater controls (Part I.D.5.c.(i).(b)); Since SSCAFCA does not have any agency-owned maintenance, storage yards or shop, Part I.D.5.c.(i).(c) does not apply to SSCAFCA; Procedures for properly disposing of waste removed from SSCAFCA facilities (sediment, floatables, and other debris) (Part I.D.5.c.(i).(d)); and procedures to ensure that new flood management projects assess the impacts on water quality and examine existing projects for incorporating additional water quality protection devices or practices (Part I.D.5.c.(i).(e)).</strong></td>
<td>SSCAFCA plans to continue its Pollution Prevention/Good Housekeeping Program. SSCAFCA will implement any changes to improve the SSCAFCA Program based on the recommendations provided in semi-annual inspection reports. SSCAFCA’s facilities include the office, located at 1041 Commercial Dr. SE, and drainage infrastructure within Sandoval County and the Rio Grande watershed. SSCAFCA drainage infrastructure includes water quality structures, hard and soft channels, ponds, dams, storm drain, and dikes/berms. SSCAFCA’s pollution prevention practices pertain to all SSCAFCA facilities. SSCAFCA does not own or operate any industrial-type facilities. SSCAFCA does not have any agency-owned maintenance, storage yards or shop, Part I.D.5.c.(i).(c) does not apply to SSCAFCA. Procedures for properly disposing of waste removed from SSCAFCA facilities (sediment, floatables, and other debris) (Part I.D.5.c.(i).(d)); and procedures to ensure that new flood management projects assess the impacts on water quality and examine existing projects for incorporating additional water quality protection devices or practices (Part I.D.5.c.(i).(e)).</td>
<td>• SSCAFCA will adhere to the conditions of the USACE LOP for maintenance of SSCAFCA flood control and water quality facilities and BMPs. • SSCAFCA requires contract maintenance crews to have spill prevention and control and equipment maintenance and fueling activities. • SSCAFCA will perform routine and special inspections per SSCAFCA policy. • SSCAFCA will perform maintenance activities according to the conditions of the USACE LOP and SSCAFCA policy. • SSCAFCA has developed, and will continue to refine written procedures for this MS4 program.</td>
<td>10 months from effective date of MS4 Permit Oct. 22, 2015</td>
<td>Jun. 2016</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>3.2 72</td>
<td>Enhance the program to include the elements in Part I.D.5.c.(i). These include: (a) Develop or update the existing list of all stormwater quality facilities by drainage basin, including location and description;</td>
<td>SSCAFCA will comply with this requirement to the extent it is permitted by law and/or applicable to SSCAFCA. As part of the Program, SSCAFCA will continue to update annually a list of all stormwater quality facilities by drainage basin, including location and description. SSCAFCA will continue to assess existing flood control infrastructure for retrofitting for additional pollutant removal. SSCAFCA will continue to cooperate with MS4s within its jurisdiction to assess flood control infrastructure for retrofitting with water quality BMPs.</td>
<td>• SSCAFCA will continue to update, annually, a list of all SSCAFCA stormwater quality facilities by drainage basin, including location and description.</td>
<td>10 months (cooperative) from effective date of MS4 Permit June 22, 2017</td>
<td>Jun. 2017</td>
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<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>3.2 73</td>
<td>(b) Develop or modify existing operational manual for de-icing activities addressing alternate materials and methods to control impacts to stormwater quality;</td>
<td>N/A - SSCAFCA only has jurisdiction to maintain its facilities, SSCAFCA does not engage in the following: de-icing, roadway debris control, street sweeping, or roadway pollutant removal.</td>
<td>N/A</td>
<td>N/A</td>
<td>Jun. 2017</td>
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<td>3.2</td>
<td>74</td>
<td>(c) Develop or modify existing program to control pollution in stormwater runoff from equipment and vehicle maintenance yard;</td>
<td>N/A - SSCAFCA does not own or operate equipment or vehicle maintenance or storage yards</td>
<td>• SSCAFCA does not own or operate an equipment and maintenance yard, therefore this section of the permit is not applicable to SSCAFCA.</td>
<td>10 months from effective date of MS4 Permit Oct. 22, 2015</td>
<td>Jun. 2017</td>
<td>Program Lead: NA, Section not applicable to SSCAFCA Program Implementation: N/A, Section not applicable to SSCAFCA</td>
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<td>3.2</td>
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<td>(d) Develop or modify existing street sweeping program. Assess possible benefits from changing frequency or timing of sweeping activities or utilizing different equipment for sweeping activities;</td>
<td>N/A - SSCAFCA only has jurisdiction to maintain its facilities, SSSCAFCA does not engage in the following: de-icing, roadway debris control, street sweeping, or roadway pollutant removal.</td>
<td>N/A</td>
<td>N/A</td>
<td>Jun. 2017</td>
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<td>3.2</td>
<td>76</td>
<td>(e) A description of procedures used by permittees to target roadway areas most likely to contribute pollutants to and from the MS4 (i.e., runoff discharges directly to sensitive receiving water, roadway receives majority of de-icing material, roadway receives excess litter, roadway receives greater loads of oil and grease);</td>
<td>N/A - SSSCAFCA only has jurisdiction to maintain its facilities, SSSCAFCA does not engage in the following: de-icing, roadway debris control, street sweeping, or roadway pollutant removal.</td>
<td>N/A</td>
<td>N/A</td>
<td>Jun. 2017</td>
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<td>3.2</td>
<td>77</td>
<td>(f) Develop or revise existing standard operating procedures for collection of used motor vehicle fluids (at a minimum oil and antifreeze) and toxics (including paint, solvents, fertilizers, pesticides, herbicides...) used in permittee operations;</td>
<td>N/A - SSSCAFCA does not own or operate equipment or vehicle maintenance or storage yards and uses local commercial vendors for vehicle maintenance.</td>
<td>N/A</td>
<td>10 months from effective date of MS4 Permit Oct. 22, 2015</td>
<td>Jun. 2017</td>
<td>Program Lead: N/A Program Implementation: N/A</td>
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| 3.2         | 78 | (g) Standard operating procedure for disposal of accumulated sediments, floatables, and debris; | SSCAFCA performs waste disposal for sediment, floatables, and other debris in accordance with the USACE LOP. | • Continue to perform all waste disposal for sediment, floatables and other debris in accordance with the USACE LOP and direct vendor contractors to collect and dispose of trash, floatables, and debris accordingly.  
• SSCAFCA has formalized their standard operating procedures, as applicable, for these disposal activities into a written standard operating procedure.  
• As contracts for waste disposal come up for renewal, provisions will be written into new contracts requiring disposal of wastes to comply with SSCAFCA written policies. | 30 months (cooperative) from effective date of MS4 Permit | Jun. 2017 | | SSCAFCA's Facility Operations Director, Field Engineer, Design Services Director, and Executive Engineer |
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| 3.2 79     | (h) litter source control program, include targeted public awareness campaign; | Through involvement in the MRGSWQT, SSCAFCA will continue to collaborate with the MS4 permittees to improve upon the existing litter source control program, including a targeted public awareness campaign. | • SSSCAFCA will continue its involvement with and financial support of the MRGSWQT.  
• SSSCAFCA will continue to collaborate with the MS4 permittees to improve upon the existing litter source control program.  
• The MRGSWQT Outcomes Report will be submitted in the Annual Report. | 10 months (cooperative) from effective date of MS4 Permit | June 22, 2017 | | Program Lead: SSSCAFCA's Facility Operations Director  
Program Implementation: Field Engineer, Design Services Director, and Executive Engineer |
| 3.2 80     | (i) Develop or review and revise, as necessary, the criteria, procedures and schedule to evaluate existing flood control devices, structures and drainage ways to assess the potential of retrofitting to provide additional pollutant removal from stormwater. Implement routine review to ensure new and/or innovative practices are implemented where applicable. | SSSCAFCA will continue to meet with area MS4s to discuss areas requiring drainage and water quality retrofits, project priorities, and multi-agency funding. SSSCAFCA will publish projects in the annual ICIP. Internally, using the Project Schedule, water quality projects and water quality retrofit projects will be prioritized. This is part of the requirements in TABLE 3 - Post-Construction Stormwater Management in New Development and Redevelopment - Part I.D.5.b.  
SSSCAFCA will develop a process for reviewing existing flood control facilities for potential retrofitting to provide additional water quality treatment.  
Operation and Maintenance procedures, inspections, repairs, and retrofits are evaluated through the cooperative Agency and Area Wide Agreement. | • By June 2017, SSSCAFCA will develop criteria and procedures for evaluation of existing stormwater facilities to assess the potential for retrofitting to provide additional water quality treatment.  
• Apply criteria and procedures to evaluate 25% of existing facilities by 2018 and an additional 25% of existing facilities of projects by 2019 for the potential for retrofitting for water quality purposes. Propose retrofitting projects meeting established criteria for inclusion in the ICIP.  
• Identify all cooperative elements of proposed retrofit projects and coordinate with cooperating entity for inclusion in their ICIP. | 10 months (cooperative) from effective date of MS4 Permit | June 22, 2017 | | Program Lead: SSSCAFCA's Facility Operations Director  
Program Implementation: Field Engineer, Design Services Director, and Executive Engineer |
| 3.2 81     | (j) Enhance inspection and maintenance programs by coordinating with maintenance personnel to ensure that a target number of structures per basin are inspected and maintained per quarter; | SSSCAFCA has in place a well-defined and implemented routine inspection and O&M program that includes both formal and informal inspections and maintenance schedules. This program will be enhanced to ensure a target number of structures per basin are inspected and maintained per quarter, as required by the MS4 Permit.  
SSSCAFCA will enhance its inspection and maintenance programs, as required by the MS4 Permit, through improved coordination with the Facility Operation Director, Field Engineer, and Executive Engineer. SSSCAFCA will, depending on funding available, utilize the Agency and Area Wide Agreement to address portions of the required inspection and maintenance. | • SSSCAFCA will continue coordination between maintenance personnel and staff to ensure that, on average, two structures per basin are inspected and maintained per quarter, outside of monsoon season (July - October).  
• SSSCAFCA will, depending on funding available, utilize the Agency and Area Wide Agreement to address portions of the required inspection and maintenance. | 10 months (cooperative) from effective date of MS4 Permit | June 22, 2017 | | Program Lead: SSSCAFCA's Facility Operations Director  
Program Implementation: Field Engineer, Design Services Director, and Executive Engineer |
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| 3.2 82      | (k) Enhance the existing program to control the discharge of floatables and trash from the MS4 by implementing source control of floatables in industrial and commercial areas; | SSCAFCA does not have jurisdiction over industrial and commercial areas in the MS4. SSCAFCA will continue coordination with the MRG SWQT and the MS4 TAG, to enhance the program to control the discharge of floatables and trash from the MS4 by implementing source control of floatables in industrial and commercial areas. | • SSCAFCA will continue its involvement with and financial support of the MRG SWQT.  
• SSCAFCA will continue to collaborate with the MS4 permittees to improve upon the source control of floatables in industrial and commercial areas.  
• SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG). | 30 months (cooperative) from effective date of MS4 Permit | June 22, 2017 | Jun. 2017 | Program Lead: SCAFC's Facility Operations Director |
| 3.2 83      | (l) Include in each annual report, a cumulative summary of retrofit evaluations conducted during the permit term on existing flood control devices, structures and drainage ways to benefit water quality. Update the SWMP to include a schedule (with priorities) for identified retrofit projects; | SSCAFCA will continue to meet with area MS4s to discuss areas requiring drainage and water quality retrofits, project priorities, and multi-agency funding. SCAFC will publish projects in its annual ICIP. Internally, using the ICIP, water quality projects and water quality retrofit projects will be prioritized. | • Include a cumulative list of retrofitted SCAFC facilities in each annual report  
• SCAFC will continue to include BMP retrofitting projects in the annual ICIP - this defines the priorities for identified retrofit projects.  
• SCAFC will update the SWMP in include the retrofit schedule, once developed. | 30 months (cooperative) from effective date of MS4 Permit | Oct. 22, 2015 or June 22, 2017 | Jun. 2017 | Program Lead: SCAFC's Facility Operations Director  
Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer |
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<td>3.2 84</td>
<td>(m) Flood management projects: review and revise, as necessary, technical criteria guidance documents and program for the assessment of water quality impacts and incorporation of water quality controls into future flood control projects. The criteria guidance document must include the following elements: A. Describe how new flood control projects are assessed for water quality impacts. B. Provide citations and descriptions of design standards that ensure water quality controls are incorporated in future flood control projects. C. Include method for permittees to update standards with new and/or innovative practices. D. Describe master planning and project planning procedures and design review procedures.</td>
<td>SSWAFC will adhere to current and future drainage and water quality management plans passed by the SSWAFC Board of Directors, Sandoval County Commission or Rio Rancho City Council, Bernalillo Town Council, or Corrales Village Council. SSWAFC will continue its proactive policy of incorporating stormwater quality BMPs into new flood control projects when feasible. SSWAFC will develop the technical criteria guidance document as required to meet the requirements of the MS4 Permit.</td>
<td>• SSWAFC will continue to incorporate stormwater quality BMPs in all new flood control projects when feasible. • SSWAFC will continue to include BMP retrofitting projects in the annual ICIP (see TABLE 3: Post-Construction Stormwater Management in New Development and Redevelopment- Part I.D.5.b). • SSWAFC will include a list in each annual report of the new projects with water quality control measures within SSWAFC rights-of-way. • SSWAFC will develop a Criteria Guidance Document. This document will need to be in cooperation with the CORR and its design standards and Development Process Manual.</td>
<td>10 months (cooperative) from effective date of MS4 Permit</td>
<td>June 22, 2017</td>
<td>Jun. 2017</td>
<td>SSWCFA’s Facility Operations Director, Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer</td>
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<td>3.2 85</td>
<td>(n) Develop procedures to control the discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied, by the permittee’s employees or contractors, to public right-of-ways, parks, and other municipal property. The permittee must provide an updated description of the data monitoring system for all permittee departments utilizing pesticides, herbicides and fertilizers.</td>
<td>SSWAFC will only allow certified staff or professionally licensed contractors to apply herbicides within SSWAFC right-of-way (SSWCFA does not apply pesticides or fertilizers in its operations).</td>
<td>• SSWAFC personnel will not apply pesticides or fertilizers in its operations. • SSWAFC will only allow professionally licensed contractors to apply herbicides and pesticides within SSWAFC rights-of-way. • If applicable, SSWAFC will be reviewing and rewriting, as necessary, leases and licenses, to ensure wording is included addressing the control of discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied by entities leasing or licensed to use SSWAFC lands.</td>
<td>10 months from effective date of MS4 Permit</td>
<td>Oct. 22, 2015</td>
<td>Jun. 2017</td>
<td>SSWCFA’s Facility Operations Director, Program Implementation: Field Engineer, Watershed Scientist, and Executive Engineer</td>
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<td>3.3 86</td>
<td>Develop or update a list and a map of industrial facilities owned or operated by the permittee as required in Part I.D.5.c.(iii).</td>
<td>N/A - no EPA Multi Sector General Permit (MSGP) within SSWAFC right-of-way. This was submitted to EPA in SSWAFC’s NOI and accepted.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>Jun. 2016</td>
<td>N/A</td>
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<td>Update the SWMP document and annual report as required in I.D.5.c.(iv) and Part I.D.5.c.(i) throughout Part I.D.5.c.(iii) and its corresponding measurable goal. The permittee must include in the SWMP a description of the mechanism(s) utilized to comply with each of the elements required in Part I.D.5.c.(i) and their corresponding measurable goal. The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report.</td>
<td>SSCAFCA’s Environmental Services Director will review the program requirements listed in Part I.D.5.c. for the above-mentioned SWMP elements, during the Annual Report process. A strategy to implement any new program requirements will be developed as needed.</td>
<td>• As part of the Annual Report process each year, the Facility Operations Director will review the program requirements listed in Part I.D.5.c. for the above-mentioned SWMP elements, and develop a strategy to implement any new program requirements.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Watershed Scientist, and Executive Engineer</td>
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<td>88</td>
<td>TABLE 5: Industrial and High Risk Runoff - Part I.D.5.d</td>
<td>Permit requires this element for Class A permittees only. SSCAFCA is a Class B permittee.</td>
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<td>90</td>
<td>TABLE 6: Illicit Discharges and Improper Disposal - Part I.D.5.e</td>
<td>SSCAFCA has developed a program to detect and eliminate illicit discharges. The program elements, as they relate to the permit requirements, are described in detail below.</td>
<td>• The SSCAFCA Facility Operations Director will continue to review, revise, and implement the Illicit Discharge Detection and Elimination Program requirements. • SSCAFCA will update their current written procedure for this program element. • SSCAFCA is pursuing developing a cooperative program elements for this program.</td>
<td></td>
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<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Watershed Scientist, and Executive Engineer</td>
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<td>5.1</td>
<td>92</td>
<td>SSCAFCA will continue to update its Maintenance Responsibilities for Drainage Facilities within its jurisdictional area. It is a web-enabled, GIS driven map showing all SSCAFCA facilities (water quality BMPs, channels, large diameter storm drains, ponds, berms or dikes, dams, and receiving waters) and SSCAFCA outfalls. SSCAFCA cooperates with the City of Rio Rancho, NMDOT, Sandoval County, Town of Bernalillo, and Village of Corrales to collect their data for SSCAFCA’s map.</td>
<td>SSCAFCA will continue to keep this maintenance map up-to-date for SSCAFCA facilities and other MS4 permittee facilities, as information is provided. Cooperation with other MS4s will continue related to this map.</td>
<td>14 months (cooperative) from effective date of MS4 Permit</td>
<td>February 22, 2016</td>
<td>Feb. 2016</td>
<td>N/A</td>
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<td>5.2</td>
<td>93</td>
<td>Ordinance (or other control method) as required in Part I.D.5.e.(i)(b).</td>
<td>Because SSCAFCA is strictly a flood control authority, the legal authority and jurisdiction granted to it by the State of New Mexico is limited. SSCAFCA will contractually and/or administratively require the control of non-stormwater discharges from third-party operations within SSCAFCA’s jurisdiction and/or right of way to the extent allowable under State, Tribal or local law.</td>
<td>SSCAFCA will contractually and/or administratively require the control of non-stormwater discharges on SSCAFCA-owned projects to the extent allowable under State, Tribal or local law.</td>
<td>10 months from effective date of MS4 Permit</td>
<td>June 22, 2017</td>
<td>Jun. 2017</td>
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<td>5.3</td>
<td>94</td>
<td>Develop and implement a IDDE plan as required in Part I.D.5.e.(i)(c). The permittee must include the following elements in the plan: A. Procedures for locating priority areas likely to have illicit discharges including field test for selected pollutant indicators (ammonia, boron, chlorine, color, conductivity, detergents, E. coli, enterococci, total coliform, fluoride, hardness, pH, potassium, conductivity, surfactants), and visually screening outfalls during dry weather; B. Procedures for enforcement, including enforcement escalation procedures for recalcitrant or repeat offenders; C. Procedures for removing the source of the discharge; D. Procedures for program evaluation and assessment; and E. Procedures for coordination with adjacent municipalities and/or state, tribal, or federal regulatory agencies to address situations where investigations indicate the illicit discharge originates outside the MS4 jurisdiction.</td>
<td>SSCAFCA will continue to implement its IDDE program. SSCAFCA will continue to perform periodic visual inspections of outfalls to SSCAFCA-owned properties. SSCAFCA is pursuing developing a cooperative program for this Permit element.</td>
<td>SSCAFCA will continue implementing the existing IDDE program. SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande related to the IDDE program. SSCAFCA will begin developing a written procedure for this program element. SSCAFCA is pursuing developing a cooperative program for this program element with permittees located within SSCAFCA's jurisdiction.</td>
<td>10 months (cooperative) from effective date of MS4 Permit</td>
<td>June 22, 2017</td>
<td>Jun. 2017</td>
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Program Lead: SSCAFCA’s Facility Operations Director
Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer
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| S.4 95      |    | Develop an education program as required in Part I.D.5.e.(i).(d). Develop an education program to promote, publicize, and facilitate public reporting of illicit connections or discharges, and distribution of outreach materials. The permittee shall inform public employees, businesses and the general public of hazards associated with illegal discharges and improper disposal of waste. | SSCAFCA will continue to participate in the MRGSSQT and collaborate with the MS4 permittees to provide educational information regarding storm water quality to the community. This information will promote, publicize, and facilitate public reporting of illicit connections or discharges, and distribution of outreach materials. This program informs the public of hazards associated with illicit discharges and improper waste disposal, as well as proper ways to dispose of hazardous wastes. | • SSCAFCA will continue its involvement with and financial support of BEMP and RiverXchange through the MRGSSQT.  
• SSCAFCA will work with the MRGSSQT to inform the general public of the hazards associated with illegal discharges and improper disposal of waste.  
• The MRGSSQT Outcomes Report will be submitted in the Annual Report.  
• SSSCAFCA will continue an in‐house training program for its administrative, engineering and field employees regarding illegal discharges and improper disposal of waste. | 18 months (cooperative) from effective date of MS4 Permit | June 22, 2016 | | Program Lead: SSSCAFCA’s Facility Operations Director  
Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer |
| S.5 96      |    | Establish a hotline as required in Part I.D.5.e.(i).(e). | The City of Rio Rancho (CoRR), co‐permittee with SSSCAFCA under the permit, has instituted an online “Report RR” app and has been using this to collect citizen complaints. Complaints/reports received by CoRR involving SSSCAFCA areas are routed to SSSCAFCA electronically for response. The application is designated for all non‐emergency CoRR inquiries and services. This program includes citizen reports regarding illicit discharges. | SSSCAFCA will continue to respond to the information received from this application integral to the IDDE program. | 18 months (cooperative) from effective date of MS4 Permit | June 22, 2016 | | Program Lead: SSSCAFCA’s Facility Operations Director  
Program Implementation: Field Engineer |
| S.6 97      |    | Investigate suspected significant/severe illicit discharges as required in Part I.D.5.e.(i).(f). Investigate suspected significant/severe illicit discharges within forty‐eight (48) hours of detection and all other discharges as soon as practicable; elimination of such discharges as expeditiously as possible; and, requirement of immediate cessation of illicit discharges upon confirmation of responsible parties. | Illicit Discharge is defined in 40 CFR 122.26(b)(2) as "Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities." | SSSCAFCA will continue its policy of investigation of suspected significant/severe illicit discharges within forty‐eight (48) hours of detection/reporting and all other discharges as soon as practicable. SSSCAFCA plans to continue removing/treating such discharges as expeditiously as possible and requiring immediate cessation of illicit discharges upon confirmation of responsible parties. SSSCAFCA will continue its procedures for illicit discharge investigation and use of its IDDE Incident Report Form.  
"Illicit discharge" also covers illegal or improper disposal or dumping of wastes into SSSCAFCA facilities. For SSSCAFCA, "illicit discharges" typically fall into two categories: (1) liquid discharge, or (2) solid discharge (dumped trash, debris, dirt/sediment, tires). Liquid discharges are considered urgent in order to quickly determine if they are significant/severe illicit discharges and are investigated within forty‐eight (48) hours of detection. Solid discharge are investigated and identified for clean‐up during watershed clean‐up events. | SSSCAFCA will continue its policy of investigation of suspected significant/severe illicit discharges within 48 hours of detection and all other discharges as soon as practicable.  
SSCAFCA will continue investigation and documentation of all applicable illicit discharge complaints (using IDDE Incident Report Form) received through the 311 call in program, as well as other complaints received directly by SSSCAFCA staff through e‐mail, phone, or observation.  
SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande related to investigation of illicit discharges.  
SSCAFCA will develop a written procedure for this program element and develop an electronic field form for gathering applicable information regarding reported IDDE. | 18 months (cooperative) from effective date of MS4 Permit | June 22, 2016 | | Program Lead: SSSCAFCA’s Facility Operations Director  
Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer |
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<td>S.7 98</td>
<td>Review complaint records and develop a targeted source reduction program as required in Part I.D.5.e.(i).(g). Review complaint records for the last permit term and develop a targeted source reduction program for those illicit discharge/improper disposal incidents that have occurred more than twice in the last (2) or more years from different locations.</td>
<td>SSCAFCA will continue its policy of reviewing complaint records. In addition, complaint records that are determined to be illicit discharges will be added to the SSCAFCA GIS database. The location, date, type of illicit discharge, and source (if known) will be documented. To meet the Permit requirements in Table 1.a (Part I.C.2), regarding discharges to impaired waters with a TMDL (E. coli), SSCAFCA’s review of complaint records will include a focus on illicit discharges contributing bacteria to the MS4. SSCAFCA will develop a targeted source reduction program for those illicit discharge/improper disposal incidents that have occurred more than twice in 2 or more years from different locations. SSCAFCA has in place a cooperative arrangement with the City of Rio Rancho for notification of illicit discharges.</td>
<td>SSCAFCA will continue its policy of reviewing complaint records. This will include a focus on illicit discharges contributing bacteria to the MS4.</td>
<td>1 year (cooperative) from effective date of MS4 Permit Dec. 22, 2015</td>
<td>Dec. 2015</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer</td>
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<td>Not Included in NOI 99</td>
<td>As required in Part I.D.5.e.(ii), the permittee shall address the following categories of non-stormwater discharges or flows (e.g., illicit discharges) only if they are identified as significant contributors of pollutants to the MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(f)(o)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water. Note: Discharges or flows from fire fighting activities are excluded from the effective prohibitions against non-stormwater and need only be addressed where they are identified a significant sources of pollutants to water of the United States.</td>
<td>Any such discharge that is identified as a significant contributor of pollutants to the SSCAFCA MS4, or is causing or contributing to a water quality standards violation, will be addressed as an illicit discharge pursuant to Part I.D.5.e of the MS4 Permit. The Permit lists authorized non-stormwater discharges in Part I.D.5.e.(ii). Many of these authorized non-stormwater discharges are not applicable to SSCAFCA and none of these discharges are expected to be significant contributors of pollutants to the MS4.</td>
<td>SSCAFCA’s Field Operations Director will review this list annually to check that the categories of authorized non-stormwater discharges are still not considered significant contributors of pollutants to the MS4.</td>
<td>No specific implementation schedule, SSCAFCA will review annually.</td>
<td>Program Lead: SSCAFCA’S Field Operations Director</td>
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5.8 100 | As required in Part I.D.5.e.(iii), the permittee must screen the entire jurisdiction at least once every five (5) years and high priority areas at least once every year. High priority areas include any area where there is ongoing evidence of illicit discharges or dumping, or where there are citizen complaints on more than five (5) separate events within twelve (12) months. The permittee must: (a) Include in its SWMP document a description of the means, methods, quality assurance and controls protocols, and schedule for successfully implementing the required screening, field monitoring, laboratory analysis, investigations, and analysis evaluation of data collected. (b) Comply with the dry weather screening program established in Table 6 and the monitoring requirements specified in Part III.A.2. (c) If applicable, implement the priority ranking system developed in previous permit term. | SSCAFCA will continue to make progress with its IDDE activities and program, working toward the permit deadlines described for this permit activity. Much of this effort may be in coordination with MS4 permittees CORR, Sandoval County, Village of Corrales, Town of Bernalillo and NMDOT, as the SSSCAFCA facilities are stormwater collectors for the basins that are primarily controlled by other MS4 programs, rules, and regulations. Part I.D.5.e.(ii).a : IDDE screening methods, quality assurance and controls protocols, schedule for successfully implementing the required screening, field monitoring, laboratory analysis, investigations, and analysis evaluation of data collected will be developed in years 1-3 of the Permit. SSSCAFCA has implemented a routine inspection and O&M program that includes both formal and informal inspections. These O&M inspections will be part of the IDDE screening program. Part I.D.5.e.(ii).b : Development of the screening procedures and protocols will comply with the dry weather screening program monitoring requirements specified in Table 6 and Part III.A.2. Due to the nature of the climate in the Middle Rio Grande, screening will consist primarily of visual inspection of outfalls to arroyo beds. Since all channels under SSSCAFCA’s jurisdiction are ephemeral, identification of moisture in these arroyos outside of wet weather events will require field investigation to determine the source of the discharge. Part I.D.5.e.(ii).c : For SSSCAFCA, the priority ranking is not applicable but, as part of cooperative program, SSSCAFCA will follow the cooperative priority ranking. | • SSSCAFCA will develop screening procedures, protocols and plan in years 1-3 for the Permit (Dec. 22, 2014 through Dec. 22, 2017). This may be done as a cooperative program. • SSSCAFCA will implement the IDDE required screening activities for a minimum of 30% of the SSSCAFCA MS4 by the end of year 4 for this Permit (Dec. 22, 2018). • SSSCAFCA will complete the IDDE required screening activities for 70% of the SSSCAFCA MS4 system by the end of year 5 for this Permit (Dec. 22, 2019). • SSSCAFCA will continue membership and involvement in the cooperative MRGIS/QWT which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande related to screening for illicit discharges. • SSSCAFCA is pursuing developing a cooperative for this program element, including implementing the priority ranking system. | Cooperate program - High Priority - screen 1x per year. Years 1-3: develop procedures as required in Part I.D.5.e.(ii).(c). Year 4: screen 30% of the MS4 area. Year 5: screen 70% of the MS4 area. | 1/year | Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer

5.9 101 | Develop, update, and implement a Waste Collection Program as required in Part I.D.5.e.(iv). | SSSCAFCA will continue to regularly collect waste within its rights-of-ways. SSSCAFCA will work with Sandoval County, the City of Rio Rancho, Town of Bernalillo, and Village of Corrales to expand the Hazardous Household Waste collection program. | • SSSCAFCA will work with Sandoval County to increase the number of Household Hazardous Waste collection days hosted. • SSSCAFCA will continue working with the City of Rio Rancho on watershed clean-up events | 10 months (cooperative) from effective date of MS4 Permit June 22, 2017 | Jun. 2017 | Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer
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<td>Section 5.10</td>
<td>102</td>
<td>Develop, update and implement a Spill Prevention and Response program to prevent, contain, and respond to spills that may discharge into the MS4 as required in Part I.D.5.e.(v). The Spill Prevention and Response program shall include: (a) Where discharge of material resulting from a spill is necessary to prevent loss of life, personal injury, or severe property damage, the permittee(s) shall take, or ensure the party responsible for the spill takes, all reasonable steps to control or prevent any adverse effects to human health or the environment; and (b) The spill response program may include a combination of spill response actions by the permittee (and/or another public or private entity), and legal requirements for private entities within the permittee’s municipal jurisdiction.</td>
<td>SSCAFCA does not maintain emergency spill response capabilities and relies on overlapping MS4s for any emergency response capabilities, primarily, the City of Rio Rancho, Sandoval County, the Village of Corrales, and the Town of Bernallío. SSCAFCA maintains a GIS-based system identifying the jurisdictions in which all SSCAFCA facilities are located for rapid identification of appropriate first responding agency. A contact list for each jurisdiction has been developed. Each of the overlapping MS4s would be responsible for response within their respective jurisdictions. SSCAFCA would ensure access to area requiring response on SSCAFCA-owned land by providing keys to control gates to first responder personnel.</td>
<td>SSCAFCA will continue to cooperate with overlapping jurisdictions for spill response. SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) and the MRGSWQI which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande related to spill prevention and response.</td>
<td>18 months (cooperative) from effective date of MS4 Permit</td>
<td>June 22, 2016</td>
<td>Jun. 2016</td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer</td>
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<tr>
<td>Section Not Included in NOI</td>
<td>103</td>
<td>Update the SWMP document and annual report as required in Part I.D.5.e.(iii), Part I.D.5.e.(vi), and Part I.D.5.e.(vii). A description of the means, methods, quality assurance and controls protocols, and schedule for successfully implementing the required screening, field monitoring, laboratory analysis, investigations, and analysis evaluation of data collected.</td>
<td>SSCAFCA will continue screening the entire jurisdiction at least once every 5 years and high priority areas at least once every year in accordance with the permit requirements. SSCAFCA’s Facility Operations Director will review the program requirements listed in Part I.D.5.e, for the above-mentioned program elements, during the Annual Report process. A review of the screening completed and the data collected will be included in the Annual Report. A strategy to implement any new program requirements will be developed as needed.</td>
<td>As part of the Annual Report process each year, the Facility Operations Director will review the program requirements listed in Part I.D.5.e, for the above-mentioned SWMP elements, and develop a strategy, if applicable, to implement any new program requirements.</td>
<td>SSCAFCA will continue to update the SWMP document and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer</td>
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<td>NOI Section</td>
<td>ID</td>
<td>Permit Activity Description</td>
<td>Best Management Practices/Proposed Plan</td>
<td>Measurable Goal</td>
<td>Permit Required Implementation Schedule</td>
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<td>Milestone Implementation Schedule</td>
<td>Responsible Personnel</td>
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<td>5.11</td>
<td>104</td>
<td>Enhance the program to include requirements in Part I.D.5.e.(ix). The permittee may: (a) Divide the jurisdiction into assessment areas where monitoring at fewer locations still provides sufficient information; (b) Downgrade high priority areas after the area has been screened at least once and there are citizen complaints on no more than 5 separate events within a 12 month period; (c) Rely on a cooperative program with other MS4s for detection and elimination of illicit discharges and illegal dumping; (d) If cooperative program, required detection program frequencies may be based on the combined jurisdictional area rather than individual jurisdictional areas to reduce total number of screening locations; (e) After screening a non-high priority area once, adopt an &quot;in response to complaints only&quot; IDOE for that area (no more than 2 separate events within a 12 month period); (f) Enhance the program to utilize methodologies consistent with those described in &quot;Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments.&quot;</td>
<td>Part I.D.5.e.(ix), SSCAFCA may enhance the program to include requirements in Part I.D.5.e.(ix) as needed</td>
<td>SSCAFCA will document enhancements made with enhancement activities in the SWMP and Annual Report.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer</td>
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<td>6.1</td>
<td>106</td>
<td>As required in Part I.D.5.f(i), the permittee must develop, update, and implement a program to address and control floatables in discharges into the MS4. The floatables control program shall include source controls and, where necessary, structural controls. Permits previously covered under NMS000101 or NMR400000 must continue existing programs while updating those programs, as necessary, to comply with the requirements of this permit. The permittee shall develop or update a schedule to implement as required in Part I.D.5.f(i).a.</td>
<td>SSCAFCA will continue to implement a program to address and control floatables in discharges into the MS4. SSCAFCA will continue to install stormwater quality features to control floatables, such as porous risers, trash racks, and screened inlets in both new construction and retrofits where appropriate.</td>
<td>• The SSCAFCA Facility Operations Director will continue to review, revise, and implement a program to address and control floatables in discharges into the MS4. SSCAFCA will develop a written procedure for this program element. • SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande related control of floatables discharges. • SSCAFCA will continue utilizing the manual trash collection contracts. • SSCAFCA will continue cooperative watershed clean-up events with the City of Rio Rancho. • SSCAFCA is pursuing developing a cooperative program for this program element.</td>
<td>18 months (cooperative) from effective date of MS4 Permit</td>
<td>June 22, 2016</td>
<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, Watershed Scientist, and Executive Engineer</td>
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**TABLE 7: Control of Floatables Discharges - Part I.D.5.f**
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<th>NOI Section</th>
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<th>Permit Activity Description</th>
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<th>Milestone Implementation Schedule</th>
<th>Responsible Personnel</th>
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<tr>
<td>6.2</td>
<td>107</td>
<td>Estimate the annual volume of floatables and trash removed from each control facility and characterize the floatable type as required in Part I.D.5.f.(i).(b).</td>
<td>SSCAFCA will continue to estimate the annual volume of floatables and trash removed from each control facility as well as to characterize the floatable type. The SSCAFCA contractors track the volume of floatables, sediment, trash, and debris removed from SCAFCA facilities on an event basis. This tracking procedure includes the location of removal by facility and watershed.</td>
<td>• SSCAFCA will include in each annual report an estimate of the annual volume of floatables and trash removed from each control facility and characterize the floatable type. • SSCAFCA will continue to improve contractor crew tracking, allowing SCAFCA to better and more easily determine the volume of floatables and sediment removed from each SCAFCA facility. • SCAFCA will provide information to surrounding MS4s to enable them to enhance source control.</td>
<td>10 months from effective date of MS4 Permit</td>
<td>June 2017</td>
<td></td>
<td>Program Lead: SCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<tr>
<td>Not Included in NOI</td>
<td></td>
<td>Update the SWMP document and annual report as required in Part I.D.5.f.(ii) and Part I.D.5.f.(iii).</td>
<td>SCAFCA's Facility Operations Director will review the program requirements listed in Part I.D.5.f, for the above-mentioned program elements, during the Annual Report process. A strategy to implement any new program requirements or improve the compliance with program requirements will be developed as needed.</td>
<td>• As part of the Annual Report process each year, the Facility Operations Director will review the program requirements listed in Part I.D.5.f, for the above-mentioned SWMP elements, and assess the overall success of the program and document the program effectiveness in the Annual Report.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td></td>
<td>Program Lead: SCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>7.1 110</td>
<td>Develop, revise, implement, and maintain an education and outreach program as required in Part I.D.5.g(i) and Part I.D.5.g(ii). This comprehensive stormwater program should educate the community, employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste and about the impact that stormwater discharges on local waterways, as well as the steps that the public can take to reduce pollutants in stormwater.</td>
<td>• Through involvement in the MRG5WQT, SSCAFCA will continue to collaborate with the MS4 permittees to improve upon the existing public education and outreach program. • The MRG5WQT has a local Public Relations consulting firm under contract to provide public education and outreach on stormwater impacts. Included in their scope is to provide an Outcomes Report to summarize the yearly outreach activities through different media- and methods, target audiences and estimate of people reached. • Target pollutants include pet waste and trash/debris. These pollutants were chosen on the basis of studies conducted in the previous permit cycle. • Continue “Poop Fairy” public outreach campaign at targeted SSCAFCA-owned facilities. • Currently, the MRG5WQT funds classroom and field education programs, media campaigns, printed materials including brochures, public presentations/events, giveaways, display booth/kiosk, signage at select locations, website and Facebook page.</td>
<td>• SSSCAFCA will contribute and participate in the MRG5WQT. • The MRG5WQT Outcomes Report will be submitted in the Annual Report. • SSSCAFCA will continue to conduct education and outreach presentations to the community specific to SSSCAFCA facilities and water quality. • The MRG5WQT will develop a program plan annually identifying key education and outreach events/programs that will be performed each year.</td>
<td>14 months (cooperative) from effective date of MS4 Permit</td>
<td>Feb. 2016</td>
<td>Program Lead: SSSCAFCA’s Facility Operations Director</td>
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<td>7.2 111</td>
<td>Update the SWMP document and annual report as required in Part I.D.5.g.(iii) and Part I.D.5.g.(iv). (iii) The permittee must include the following information in the SWMP document: (a) A description of a program to promote, publicize, facilitate public reporting of the presence of illicit discharges or water quality associated with discharges from MS4s; (b) A description of the education activities, public information activities, and other appropriate activities to facilitate the proper management and disposal of used oil and toxic materials; &amp; (c) A description of the mechanism(s) utilized to comply with each of the elements required in Part I.D.5.g(i) and Part I.D.5.g(ii) and its corresponding measurable goal. (iv) The permittee must assess the overall success of the program, and document both direct and indirect measurements of program effectiveness in the Annual Report.</td>
<td>SSSCAFCA’s Facility Operations Director will review the program requirements listed in Part I.D.5.g, for the above-mentioned program elements, during the Annual Report process. A strategy to implement any new program requirements or improve compliance with the program requirements will be developed as needed.</td>
<td>• As part of the Annual Report process each year, the Facility Operations Director will review the program requirements listed in Part I.D.5.g, for the above-mentioned SWMP elements, and assess the overall success of the program and document direct and indirect measurements of the program effectiveness in the Annual Report.</td>
<td>Update as necessary for SWMP and Annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>7.2 112</td>
<td></td>
<td>Enhance the program to include requirements in Part I.D.5.(v) through Part I.D.5.(viii). (v) Where necessary to comply with the MS4 Permit, the permittee should develop a program or modify/revise an existing education and outreach program to: (a) Promote, publicize, and facilitate the use of GI/LID/Sustainability practices; and (b) Include an integrated public education program regarding litter reduction, reduction in pesticide/herbicide use, recycling, and disposal (including yard waste, hazardous waste materials, and used motor vehicle fluids), and GI/ LID/ Sustainable practices (as allowed by the NM OSE). (vi) The permittee may collaborate or partner with other MS4 operators to maximize the program and cost effectiveness of the required outreach. (vii) The education and outreach program may use citizen hotlines as a low-cost strategy to engage the public in illicit discharge surveillance. (viii) The permittee may use stormwater educational materials provided by the State, Tribe, EPA, environmental, public interest or trade organizations, or other MS4s. The permittee may also integrate the education and outreach program with existing education and outreach programs in the MRG area.</td>
<td>SSCAFCA will continue to include in its (and in the cooperative MRGSWQT) public education and outreach program: GI/LID/sustainability, litter reduction, pesticide/herbicide proper use and reduction, recycling and proper disposal, public hotline for illicit discharge reporting, classroom education on stormwater, sponsorship of professional conferences, participation in regional events, and pet waste disposal education.</td>
<td>• If enhancement activities are implemented, SSCAFCA will annually document progress made with these program enhancement activities.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>8.1 114</td>
<td></td>
<td>Develop (or update), implement, and maintain a public involvement and participation plan as required in Part I.D.5.(ii). This plan should provide opportunities for participation in the review, modification and implementation of the SWMP; develop and implement a process by which public comments to the plan are received and reviewed by the person(s) responsible for the SWMP; and make the SWMP available to the public and to the operator of any MS4 or Tribal authority receiving discharges from the MS4.</td>
<td>SSSCAFCA will continue its Public Involvement and Participation program to encourage public involvement in the review, modification and implementation of the SSSCAFCA SWMP, as required in Part I.D.5.(ii).</td>
<td>• Post the draft SWMP, any SWMP amendments or modifications, and draft Annual Reports to the <a href="http://www.ssscafca.org">www.ssscafca.org</a> website with an explanation of the public comment period and instruction on how to submit comments. The posted documents will show redline and strikethrough of text additions and deletions and/or provide explanations for substantial changes. • A 30-day comment period will be allotted for SWMP document public review. • A 45-day comment period will be allotted for Annual Report document public review as required in Part III.B of the MS4 Permit. • 100% of public comments received will be reviewed and addressed before submittal to EPA. • Notice to the public will be done using Board of Directors meeting announcements and placement on the publically available agenda for Board meetings.</td>
<td>10 months from effective date of MS4 Permit</td>
<td>Dec. 22, 2015</td>
<td>Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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</table>
### Public Involvement and Participation Plan

#### 8.1 As required in Part I.D.5.h.(iii), the Public Involvement and Participation Plan shall include a comprehensive planning process which involves public participation and where necessary intergovernmental coordination. The permittee must include the following elements in the plan:

- (a) A detailed description of the general plan for informing the public of involvement and participation opportunities, including types of activities; target audiences; how interested parties may access the SWMP; and how the public was involved in development of the SWMP;
- (b) The development and implementation of at least one (1) assessment of public behavioral change following a public education and/or participation event;
- (c) A process to solicit involvement by environmental groups, environmental justice communities, civic organizations or other neighborhoods/organizations interested in water quality-related issues; and
- (d) An evaluation of opportunities to utilize volunteers for stormwater pollution prevention activities and awareness throughout the area.

As allowed in this Permit section’s “Program Flexibility Elements”, SSCAFCA, through its involvement with the MRGISWQCT, has integrated this section of the Public Involvement and Participation Program with existing education and outreach programs in the Middle Rio Grande area.

- SSCAFCA will contribute and participate in the MRGISWQCT, which participates in public events and solicit public participation and feedback by way of surveys.
- In targeted areas, SSCAFCA will continue to it’s “Poop Fairy” public outreach campaign, including posting signs and flagging piles of animal waste to raise public awareness of pet waste as an issue.
- SSCAFCA will track the amount of animal waste over time to determine if outreach effort is successful.

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<tr>
<th>Permit Required Implementation Schedule</th>
<th>Cooperative Implementation Schedule</th>
<th>Milestone Implementation Schedule</th>
<th>Responsible Personnel</th>
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<td>1 year (cooperative) from effective date of MS4 Permit</td>
<td>Dec. 22, 2015</td>
<td>Dec. 2015</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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**8.2 Comply with State, Tribal, and local notice requirements when implementing a Public Involvement and Participation Program as required in Part I.D.5.h.(iv). Reporting notification requirements also in Part III.D.4.**

SSCAFCA will provide hard copies of all MS4 compliance reporting documents to the NMED, Pueblos of Sandia and Isleta as required here and in Part III.D.4 of the MS4 Permit. The SWMP and Annual Reports are also available on sscafca.org website.

- SSCAFCA will provide hard or digital copies of relative MS4 compliance reporting documents to the NMED, Pueblos of Sandia and Isleta as required here and in Part III.D.4 of the MS4 Permit.
- SSCAFCA will continue to post the SWMP and Annual Reports on the sscafca.org website.

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<tr>
<th>Permit Required Implementation Schedule</th>
<th>Cooperative Implementation Schedule</th>
<th>Milestone Implementation Schedule</th>
<th>Responsible Personnel</th>
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<tr>
<td>10 months from effective date of MS4 Permit</td>
<td>Oct. 22, 2015</td>
<td>Feb. 2016</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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<td>8.3</td>
<td>117</td>
<td>Include elements as required in Part I.D.5.h.(v). The public participation process must reach out to all economic and ethnic groups. Opportunities for members of the public to participate in program development and implementation include serving as citizen representatives on a local stormwater management panel, attending public hearings, working as citizen volunteers to educate other individuals about the program, assisting in program coordination with other preexisting programs, or participating in volunteer monitoring efforts.</td>
<td>As allowed in this Permit section’s “Program Flexibility Elements”, SSCAFCA, through its involvement with the MRG5WQT, has integrated this section of the Public Involvement and Participation Program with existing education and outreach programs in the Middle Rio Grande area. SSCAFCA will continue to include water quality information for the public at events, including public meetings. Where neighborhoods include Spanish-speaking residents, SSSCAFC may have Spanish-translations available of public meeting announcements and data sheets.</td>
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- As allowed in this Permit section’s “Program Flexibility Elements”, SSSCAFC, through its involvement with the MRG5WQT, has integrated this section of the Public Involvement and Participation Program with existing education and outreach programs in the Middle Rio Grande area. SSSCAFC will continue to include water quality information for the public at events, including public meetings. Where neighborhoods include Spanish-speaking residents, SSSCAFC may have Spanish-translations available of public meeting announcements and data sheets. The educational videos on the MRG5WQT website (www.keeptheriogrand.org) all have Spanish subtitles. By attending a variety of events, at widespread locations throughout the area, and by using the leading area newspaper (Albuquerque Journal) to advertise events, The MRG5WQT ensures that a wide-range of economic and ethnic groups are reached.

- The MRG5WQT goal will be to participate in events that reach a wide range of individuals and as new events are identified, evaluate each for effectiveness in reaching new audiences.

- SSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer
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<td>8.4</td>
<td>118</td>
<td>Update the SWMP document and annual report as required in Part I.D.5.h(vi), Part I.D.5.h(vii), and Part I.D.5.h(viii). The permittee must provide public accessibility of the SWMP and Annual Reports online via the Internet and during normal business hours at the MS4 operator's main office for public inspection and copying consistent with any applicable federal, state, tribal, or local open records requirements. Upon a showing of significant public interest, the MS4 operator is encouraged to hold a public meeting (or include in the agenda of in a regularly scheduled city council meeting, etc.) on the NOI, SWMP, and Annual Reports.</td>
<td>SSCAFCA's Facility Operations Director will review the program requirements listed in Part I.D.5.h, for the above-mentioned program elements, during the Annual Report process. A strategy to implement any new program requirements or improve compliance with the program requirements will be developed as needed. SSCAFCA will provide public accessibility of the SWMP and Annual Reports online via the Internet on the following web sites: <a href="http://www.sscafca.org">www.sscafca.org</a> A hard copy of the SWMP and annual report will also be available at SSSCAFCA's offices at: 1041 Commercial Dr. SE Rio Rancho, NM 87124 Information on how the public can comment will be provided both on-line and at SSSCAFCA's offices. All public comments shall receive a formal response.</td>
<td>• As part of the Annual Report process each year, the Facility Operations Director will review the program requirements listed in Part I.D.5.h, for the above-mentioned SWMP elements, and assess the overall success of the program and document the program effectiveness in the Annual Report. • SSSCAFCA will provide public accessibility of the SWMP document and most recent Annual Report online via the Internet (<a href="http://www.sscafca.org">www.sscafca.org</a>) and during normal business hours at the SSSCAFCA office. SSSCAFCA is located at 1041 Commercial Dr. SE, Rio Rancho, NM 87124. The phone number is 505-892-7246. • If more than 100 public comments are received on either the SWMP or Annual Report, SSSCAFCA will deem that &quot;significant public interest&quot; and convene a public meeting. • 100% of public comments will receive formal response.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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**SSCAFCA Stormwater Management Plan**

**NPDES Permit No. NMR0404A000**

**6.1** 118 Update the SWMP document and annual report as required in Part I.D.5.h(vi), Part I.D.5.h(vii), and Part I.D.5.h(viii). The permittee must provide public accessibility of the SWMP and Annual Reports online via the Internet and during normal business hours at the MS4 operator's main office for public inspection and copying consistent with any applicable federal, state, tribal, or local open records requirements. Upon a showing of significant public interest, the MS4 operator is encouraged to hold a public meeting (or include in the agenda of in a regularly scheduled city council meeting, etc.) on the NOI, SWMP, and Annual Reports. SSSCAFCA's Facility Operations Director will review the program requirements listed in Part I.D.5.h, for the above-mentioned program elements, during the Annual Report process. A strategy to implement any new program requirements or improve compliance with the program requirements will be developed as needed. SSSCAFCA will provide public accessibility of the SWMP and Annual Reports online via the Internet on the following web sites: www.sscafca.org A hard copy of the SWMP and annual report will also be available at SSSCAFCA's offices at: 1041 Commercial Dr. SE Rio Rancho, NM 87124 Information on how the public can comment will be provided both on-line and at SSSCAFCA's offices. All public comments shall receive a formal response. As part of the Annual Report process each year, the Facility Operations Director will review the program requirements listed in Part I.D.5.h, for the above-mentioned SWMP elements, and assess the overall success of the program and document the program effectiveness in the Annual Report. SSSCAFCA will provide public accessibility of the SWMP document and most recent Annual Report online via the Internet (www.sscafca.org) and during normal business hours at the SSSCAFCA office. SSSCAFCA is located at 1041 Commercial Dr. SE, Rio Rancho, NM 87124. The phone number is 505-892-7246. If more than 100 public comments are received on either the SWMP or Annual Report, SSSCAFCA will deem that "significant public interest" and convene a public meeting. 100% of public comments will receive formal response. Update as necessary for SWMP and annually for Annual Report.
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<td>8.5</td>
<td>119</td>
<td>Enhance the program to include requirements in Part I.D.5.h.(a).</td>
<td>SCAFCA will continue to include in its (and in the cooperative MRGSWQT) public involvement and participation program: funds toward groups which include public participation, such as Boy or Girl Scouts of America, RiverXchange, and the Bosque Ecosystem Monitoring Program (BEMP).</td>
<td>• SCAFCA will annually document progress made with these program enhancement activities. SCAFCA and the MRGSWQT will continue to review, update, and enhance public involvement and participation programs.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Update as necessary</td>
<td>Program Lead: SCAFCA's Facility Operations Director Program Implementation: Field Engineer, Design Services Director, and Executive Engineer</td>
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Part III - Monitoring, Assessment and Reporting Requirements
According to the requirements in Part III.A.1., The permittee must develop, in consultation with NMED and EPA (and affected Tribes if monitoring locations would be located on Tribal lands), and implement a comprehensive monitoring and assessment program. The permittees shall conduct wet weather monitoring to gather information on the response of receiving waters to wet weather discharges from the MS4 during both wet season (July 1 through October 31) and dry Season (November 1 through June 30).

Wet Weather Monitoring shall be conducted at outfalls, internal sampling stations, and/or in-stream monitoring locations at each water of the US that runs in each entity or entities' jurisdiction(s).

The program details and measurable goals are described below. The draft Sampling Plan for Compliance Monitoring was submitted to EPA on March 10, 2016.

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<td><strong>TABLE 10: Wet Weather Monitoring Program - Part III.A.1</strong></td>
<td>Wet weather screening is synonymous with compliance monitoring. In the MS4 Permit area, stormwater runoff discharges to the Rio Grande at outfall locations via major drainage channels, storm drains and pump stations. Details for this program are provided in the SWMP sections below.</td>
<td>The program details and measurable goals are described below. The draft Sampling Plan for Compliance Monitoring was submitted to EPA on March 10, 2016.</td>
<td>See specific Permit activity schedules below.</td>
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<td>Program Lead: SSCAFCA's Facility Operations Director Program Implementation: Field Engineer, and Executive Engineer</td>
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<td>IV 123</td>
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<td>Part III.A.3.1.b. Option B: Cooperative Monitoring Program</td>
<td>The cooperative monitoring program will sample the pollutants for a minimum of 7 storm events per location during the permit term with at least 3 events in the wet season and 2 events in the dry season. The wet season is defined in the permit as July 1 through October 31 and the dry season as November 1 through June 30.</td>
<td>• The monitoring program will follow the permit requirements for parameters tested (TSS, TDS, COD, BOD$_5$, DO, oil and grease, E. coli, pH, total kjeldahl nitrogen, nitrate plus nitrite, dissolved phosphorus, total ammonia plus organic nitrogen, total phosphorus, PCBs, Gross alpha, and temperature). In addition, parameters from stormwater monitoring conducted under permits NMS000101, whose mean values are at or above a WQS, will also be tested. • The monitoring program will be conducted according to the approved Sampling Plan for Compliance Monitoring (second draft submitted to EPA on March 10, 2015).</td>
<td>Monitoring program will sample the pollutants for a minimum of 7 storm events per location during the permit term with at least 3 events in the wet season and 2 events in the dry season.</td>
<td>N/A</td>
<td>Program Lead: SSCAFCA’s Facility Operations Director Program Implementation: Field Engineer, and Executive Engineer</td>
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<td>IV 124</td>
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<td>As required in Part III.A.1. and Table 10, the permittees shall submit wet weather monitoring preference Option A or Option B to EPA (i.e., individual monitoring program vs. cooperative monitoring program) with NOI submittals. SCAFCA submitted its NOI in compliance with the permit requirements and schedule. SCAFCA will participate in Option B - cooperative monitoring program.</td>
<td>SCAFCA has developed, with its cooperative partners, a Sampling Plan for Compliance Monitoring and has submitted this to EPA for approval. The monitoring scheme should include: a list of pollutants; a description of monitoring sites with an explanation of why those sites were selected; and a detailed map of all proposed monitoring sites. In addition, as required in Part III.A.1.h, the monitoring program must include a contingency plan for collecting additional monitoring data within the MS4 or at additional appropriate instream locations should monitoring results indicate that MS4 discharges may be contributing to instream exceedances of WQS. The purpose of this additional monitoring effort would be to identify sources of elevated pollutant loadings so they could be addressed by the SWMP.</td>
<td>N/A - this permit activity is complete.</td>
<td>N/A</td>
<td>N/A</td>
<td>Program Lead: SCAFCA’s Facility Operations Director Program Implementation: Facility Operations Director and Executive Engineer</td>
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<td>Not Included in NOI 125</td>
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<td>Submit a detailed description of the monitoring scheme to EPA and NMED for approval. The monitoring scheme should include: a list of pollutants; a description of monitoring sites with an explanation of why those sites were selected; and a detailed map of all proposed monitoring sites. In addition, as required in Part III.A.1.h, the monitoring program must include a contingency plan for collecting additional monitoring data within the MS4 or at additional appropriate instream locations should monitoring results indicate that MS4 discharges may be contributing to instream exceedances of WQS. The purpose of this additional monitoring effort would be to identify sources of elevated pollutant loadings so they could be addressed by the SWMP.</td>
<td>SCAFCA has developed, with its cooperative partners, a Sampling Plan for Compliance Monitoring and has submitted this to EPA for approval. This plan was approved on June 20, 2016 by EPA. Modification 1 to the sampling plan was approved by EPA on July 20, 2016.</td>
<td>• The monitoring program will be conducted according to the approved Sampling Plan for Compliance Monitoring. The Sampling Plan was approved by EPA on June 20, 2016. Modification 1 to the Sampling Plan was approved by EPA on July 20, 2016.</td>
<td>1 year (cooperative) from effective date of MS4 Permit</td>
<td>Dec. 22, 2015</td>
<td>Program Lead: SCAFCA’s Facility Operations Director Program Implementation: Field Engineer, Facility Operations Director, and Executive Engineer</td>
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<td>Not Included in NOI 126</td>
<td>Submit certification that all wet weather monitoring sites are operational and begin sampling.</td>
<td>Once SSCAFCA, and its cooperative partners, receive approval from NMED and EPA on the submitted Sampling Plan for Compliance Monitoring (second draft submitted to EPA on March 30, 2016), the cooperative will be able to move forward with ensuring the monitoring sites are ready to sample according to the monitoring plan. SSSCAFCA is in the process of defining a cooperative program for the compliance monitoring. SSSCAFCA, with its cooperative partners (still to be determined), will submit certification to EPA that all wet weather monitoring sites are operational and will begin sampling, according to the Permit requirements.</td>
<td>• SSSCAFCA, with its cooperative partners, have submitted certification to EPA that all wet weather compliance monitoring sites are operational and will begin sampling, according to the Permit requirements.</td>
<td>14 months (cooperative) from effective date of MS4 Permit</td>
<td>Jun. 2016 - should be extended by EPA Permit Modification</td>
<td>Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Facility Operations Director and Executive Engineer</td>
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<td>Not Included in NOI 127</td>
<td>As required in Part III.A.1.e, update SWMP document and submit annual reports. The results of the Wet Weather Monitoring must be provided in each annual report.</td>
<td>SSSCAFCA's Stormwater Quality Engineer will review the program requirements listed in Part II.A.1, for the above-mentioned program elements, during the Annual Report process. A strategy to implement any new program requirements or improve compliance with the program requirements will be developed as needed. The Wet Weather Monitoring results obtained from July 1st to June 30th will be submitted in each Annual Report on Discharge Monitoring Report (DMR) forms as required in Part III.D.1. SSSCAFCA will submit &quot;after action&quot; reports on sample events with the Annual Report.</td>
<td>• As part of the Annual Report process each year, the Environmental Services Director will review the program requirements listed in Part III.A.1, for the above-mentioned SWMP elements, and assess the overall success of the program and document the program effectiveness in the Annual Report.</td>
<td>• The Wet Weather Monitoring results obtained from July 1st to June 30th will be submitted in each Annual Report on Discharge Monitoring Report (DMR) forms as required in Part III.D.1. The task of preparing the DMRs (required in Part III.D.1) will be completed by the City of Albuquerque under the program in place under MS4 Permit NMSS00101. Sample results reported on DMRs in the City of Albuquerque Annual Report. DMRs provided to AMAFCA by the CDA will be included in AMAFCA's Annual Report when provided.</td>
<td>Update as necessary for SWMP and annually for Annual Report</td>
<td>Annually</td>
<td>Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Facility Operations Director, Watershed Scientist, and Executive Engineer</td>
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<td>128</td>
<td><strong>Dry Weather Discharge Screening of MS4 - Part III.A.2</strong></td>
<td>According to the requirements in Part III.A.2, each permittee shall identify, investigate, and address areas within its jurisdiction that may be contributing excessive levels of pollutants to the Municipal Separate Storm Sewer System as a result of dry weather discharges (i.e., discharges from separate storm sewers that occur without the direct influence of runoff from storm events, e.g., illicit discharges, allowable non-stormwater, groundwater infiltration, etc.). Due to the arid and semi-arid conditions of the area, the dry weather discharges screening program may be carried out during both wet season (July 1 through October 31) and dry season (November 1 through June 30). Results of the assessment shall be provided in each annual report.</td>
<td>The program details and measurable goals are described below and in Table 6 - Illicit Discharge and Improper Disposal.</td>
<td>The program details and measurable goals are described below and in Table 6 - Illicit Discharge and Improper Disposal.</td>
<td>See specific Permit activity schedules below.</td>
<td>Program Lead: SSSCAFCA's Facility Operations Director Program Implementation: Field Engineer, Facility Operations Director, Watershed Scientist, and Executive Engineer</td>
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**NOTICE:** The information contained in this document is not to be used for regulatory purposes. It is intended for informational purposes only. Ordinances, regulations, and permits are subject to change and must be obtained from the appropriate governing body. Please refer to the original documents for the most current information.
This program may be coordinated with the illicit discharge detection and elimination program required in Part I.D.5.e. The dry weather screening program shall be described in the SWMP and comply with the schedules contained in Part I.D.5.e.(iii). The permittee shall:

a) Include sufficient screening points to adequately assess pollutant levels from all areas of the MS4.

b) Screen for, at a minimum, BOD$_5$, sediment or a parameter addressing sediment (e.g., TSS or turbidity), E. coli, Oil and Grease, nutrients, any pollutant that has been identified as cause of impairment of a waterbody receiving discharges from that portion of the MS4, including temperature.

c) Specify the sampling and non-sampling techniques to be issued for initial screening and follow-up purposes.

d) Perform monitoring only when an antecedent dry period of at least 72 hours after a rain event greater than 0.1 inch in magnitude is satisfied. Monitoring methodology shall consist of collecting a minimum of 4 grab samples spaced at a minimum interval of 15 minutes each.

There are no perennial streams in the Albuquerque area that contribute to the Rio Grande. As such, the dry weather screening program serves a dual purpose as an illicit discharge screening analysis.

SSCAFCA will continue with the existing Dry Weather Screening program in place while working cooperatively to develop illicit discharge screening procedures and plan, as required in part I.D.5.e.(iii). The existing Dry Weather Screening program includes visual screening of arroyos. Should any discharge be present in a quantity sufficient for analysis, it will be screened for BOD$_5$, sediment (e.g., TSS or turbidity), E. coli, Oil and Grease, and nutrients. Any discharge collected will be a grab sample according to the Permit monitoring methodology.

- Visual screening results will be included in SSCAFCA's Annual Report when provided.
- SSCAFCA will continue with the existing Dry Weather Screening program while working cooperatively to develop illicit discharge screening procedures and plan, as required in part I.D.5.e.(iii).
- SSCAFCA will continue membership and involvement in the cooperative MS4 Technical Advisory Group (MS4 TAG) which will facilitate cooperation and coordination with other MS4s in the Middle Rio Grande related to screening for illicit discharges.
- SSCAFCA will visually screen 30% of the MS4 area in year 4 of the permit term and 70% in year 5 of the permit term.

SSCAFCA's Facility Operations Director

Field Engineer, Facility Operations Director, Watershed Scientist, and Executive Engineer

not included in NOI

According to the requirements in Part III.A.3, The permittees shall establish locations for monitoring/assessing floatable material in discharges to and/or from their MS4. A cooperative monitoring program may be established in partnership with other MS4s to monitor and assess floatable material in discharges to and/or from a joint jurisdictional area or watershed basis.

Floatable material shall be monitored at least twice per year at priority locations and at minimum of one (1) stations (Class B Permittee). The amount of collected material shall be estimated in cubic yards.

identifying one (1) station to monitor and assess floatable material type.

SSCAFCA will continue to monitor floatable material and the amount collected in participation with the MS4 co-permittees. SSCAFCA will monitor floatable material in the flood pool of the Tract 17 pond in the City of Rio Rancho. This will be done in conjunction with the requirements in TABLE 7: Control of Floatables Discharges - Part I.D.5.f. SSCAFCA monitors and tracks collection of floatables at all SSCAFCA facilities.

- SSCAFCA will continue to monitor floatable material and estimate the amount collected at least twice per year at a minimum of 1 station.
- All floatable material will be taken to a local landfill for disposal.

Update as necessary for SWMP and annually for Annual Report

Program Lead: SSCAFCA's Facility Operations Director

Program Implementation: Field Engineer, Facility Operations Director, Watershed Scientist, and Executive Engineer
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<td>134</td>
<td>The permittees shall monitor stormwater discharges from Type 1 and 2 industrial facilities which discharge to the MS4 provided such facilities are located in their jurisdiction. (Note: If no such facilities are in the permittee’s jurisdiction, the permittee must certify that this program element does not apply).</td>
<td>Activity removed from SSCAFCA’s SWMP. This permit item is applicable to Class A permittees only.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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APPENDIX A – MS4 PERMIT
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"), except as provided in Part I.A.5 of this permit, operators of municipal separate storm sewer systems located in the area specified in Part I.A.1 are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

Only operators of municipal separate storm sewer systems in the general permit area who submit a Notice of Intent and a storm water management program document in accordance with Part I.A.6 of this permit are authorized to discharge storm water under this general permit.

This is a renewal NPDES permit issued for these portions of the small municipal separate storm sewer systems covered under the NPDES permit No NMR040000 and NMR040001 and the large municipal separate storm sewer systems covered under the NPDES permit No NMS000101.

This permit is issued on and shall become effective on the date of publication in the Federal Register. DEC 23 2014

This permit and the authorization to discharge shall expire at, midnight, December 19, 2019.

Signed by                                      Prepared by

William K. Honker, P.E.                      Nelly Smith
Director                                     Environmental Engineer
Water Quality Protection Division              NPDES Permits and TMDLs Branch
# MIDDLE RIO GRANDE WATERSHED BASED MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT

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PART I. INDIVIDUAL PERMIT CONDITIONS

A. DISCHARGES AUTHORIZED UNDER THIS PERMIT

1. Permit Area. This permit is available for MS4 operators within the Middle Rio Grande Sub-Watersheds described in Appendix A. This permit may authorize stormwater discharges to waters of the United States from MS4s within the Middle Rio Grande Watershed provided the MS4:

   a. Is located fully or partially within the corporate boundary of the City of Albuquerque;

   b. Is located fully or partially within the Albuquerque urbanized area as determined by the 2000 and 2010 Decennial Census. Maps of Census 2010 urbanized areas are available at:
      http://water.epa.gov/polwaste/nrd1/npdes/stormwater/Urbanized-Area-Maps-for-NPDES-MS4-Phase-II-Stormwater-Permits.cfm;

   c. Is designated as a regulated MS4 pursuant to 40 CFR 122.32; or

   d. This permit may also authorize an operator of a MS4 covered by this permit for discharges from areas of a regulated small MS4 located outside an Urbanized Areas or areas designated by the Director provided the permittee complies with all permit conditions in all areas covered under the permit.

2. Potentially Eligible MS4s. MS4s located within the following jurisdictions and other areas, including any designated by the Director, are potentially eligible for authorization under this permit:

   - City of Albuquerque
   - AMAFCA (Albuquerque Metropolitan Arroyo Flood Control Authority)
   - UNM (University of New Mexico)
   - NMDOT (New Mexico Department of Transportation District 3)
   - Bernalillo County
   - Sandoval County
   - Village of Corrales
   - City of Rio Rancho
   - Los Ranchos de Albuquerque
   - KAFB (Kirtland Air Force Base)
   - Town of Bernalillo
   - EXPO (State Fairgrounds/Expo NM)
   - SSCAFCA (Southern Sandoval County Arroyo Flood Control Authority)
   - ESCAFCA (Eastern Sandoval County Arroyo Flood Control Authority)
   - Sandia Laboratories, Department of Energy (DOE)
   - Pueblo of Sandia
   - Pueblo of Isleta
   - Pueblo of Santa Ana

3. Eligibility. To be eligible for this permit, the operator of the MS4 must provide:

   a. Public Participation. Prior submitting the Notice of Intent (NOI), the operator of the MS4 must follow the local notice and comment to procedures at Part I.D.5.h.(i).


      In order to be eligible for coverage under this permit, the applicant must be in compliance with the National Historic Preservation Act. Discharges may be authorized under this permit only if:
(i) Criterion A: storm water discharges, allowable non-storm water discharges, and discharge-related activities do not affect a property that is listed or is eligible for listing on the National Register of Historic Places as maintained by the Secretary of the Interior; or

(ii) Criterion B: the applicant has obtained and is in compliance with a written agreement with the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) (or equivalent tribal authority) that outlines all measures the MS4 operator will undertake to mitigate or prevent adverse effect to the historic property.

Appendix C of this permit provides procedures and references to assist with determining permit eligibility concerning this provision. You must document and incorporate the results of your eligibility determination in your SWMP.

The permittee shall also comply with the requirements in Part IV.U.

4. Authorized Non-Stormwater Discharges. The following non-stormwater discharges need not be prohibited unless determined by the permittees, U.S. Environmental Protection Agency (EPA), or New Mexico Environment Department (NMED) to be significant contributors of pollutants to the municipal separate storm sewer system (MS4). Any such discharge that is identified as significant contributor pollutants to the MS4, or as causing or contributing to a water quality standards violation, must be addressed as an illicit discharge under the illicit discharge and improper disposal practices established pursuant to Part I.D.5.e of this permit. For all of the discharges listed below, not treated as illicit discharges, the permittee must document the reason these discharges are not expected to be significant contributors of pollutants to the MS4. This documentation may be based on either the nature of the discharge or any pollution prevention/treatment requirements placed on such discharges by the permittee.

- potable water sources, including routine water line flushing;
- lawn, landscape, and other irrigation waters provided all pesticides, herbicides and fertilizers have been applied in accordance with approved manufacturing labeling and any applicable permits for discharges associated with pesticide, herbicide and fertilizer application;
- diverted stream flows;
- rising ground waters;
- uncontaminated groundwater infiltration (as defined at 40 CFR §35.2005 (20));
- uncontaminated pumped groundwater;
- foundation and footing drains;
- air conditioning or compresor condensate;
- springs;
- water from crawl space pumps;
- individual residential car washing;
- flows from riparian habitats and wetlands;
- dechlorinated swimming pool discharges;
- street wash waters that do not contain detergents and where no un-remediad spills or leaks of toxic or hazardous materials have occurred;
- discharges or flows from fire fighting activities (does not include discharges from fire fighting training activities); and,
- other similar occasional incidental non-stormwater discharges (e.g. non-commercial or charity car washes, etc.)

5. Limitations of Coverage. This permit does not authorize:

a. Non-Storm Water: Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:

   (i) In compliance with a separate NPDES permit; or

   (ii) Exempt from permitting under the NPDES program; or
6. Authorization

b. Industrial Storm Water: Storm water discharges associated with industrial activity as defined in 40 CFR §122.26(b)(14)(i)-(ix) and (xi).

c. Construction Storm Water: Storm water discharges associated with construction activity as defined in 40 CFR §122.26(b)(14)(x) or 40 CFR §122.26(b)(15).

d. Currently Permitted Discharges: Storm water discharges currently covered under another NPDES permit.

c. Discharges Compromising Water Quality: Discharges that EPA, prior to authorization under this permit, determines will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard. Where such a determination is made prior to authorization, EPA may notify you that an individual permit application is necessary in accordance with Part IV.M. However, EPA may authorize your coverage under this permit after you have included appropriate controls and implementation procedures in your SWMP designed to bring your discharge into compliance with water quality standards.

f. Discharges Inconsistent with a TMDL: You are not eligible for coverage under this permit for discharges of pollutants of concern to waters for which there is an applicable total maximum daily load (TMDL) established or approved by EPA unless you incorporate into your SWMP measures or controls that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, you must incorporate documentation into your SWMP supporting a determination of permit eligibility with regard to waters that have an EPA-established or approved TMDL. If a wasteload allocation has been established that would apply to your discharge, you must comply with the requirements established in Part 1.C.2.b.(i). Where an EPA-approved or established TMDL has not specified a wasteload allocation applicable to municipal storm water discharges, but has not specifically excluded these discharges, adherence to a SWMP that meets the requirements in Part 1.C.2.b.(ii) of this general permit will be presumed to be consistent with the requirements of the TMDL. If the EPA-approved or established TMDL specifically precludes such discharges, the operator is not eligible for coverage under this general permit.

6. Authorization Under This General Permit

a. Obtaining Permit Coverage.

(i) An MS4 operator seeking authorization to discharge under this general permit must submit electronically a complete notice of intent (NOI) to the e-mail address provided in Part I.B.3 (see suggested EPA R6 MS4 NOI format located in EPA website at http://epa.gov/region6/water/npdes/sw/ms4/index.htm), in accordance with the deadlines in Part I.B.1 of this permit. The NOI must include the information and attachments required by Parts I.B.2, Part I.A.3, Part I.D.5.h.(i), and I.A.5.f of this permit. By submitting a signed NOI, the applicant certifies that all eligibility criteria for permit coverage have been met. If EPA notifies a discharger (either directly, by public notice, or by making information available on the Internet) of other NOI options that become available at a later date, such as electronic submission of forms or information, the MS4 operator may take advantage of those options to satisfy the NOI submittal requirements.

(ii) If an operator changes or a new operator is added after an NOI has been submitted, the operator must submit a new or revised NOI to EPA.

(iii) An MS4 operator who submits a complete NOI and meets the eligibility requirements in Part I of this permit is authorized to discharge storm water from the MS4 under the terms and conditions of this general permit only upon written notification by the Director. After review of the NOI and any public comments on the NOI, EPA may condition permit coverage on correcting any deficiencies or on including a schedule to respond to any public comments. (See also Parts I.A.3 and Part I.D.5.h.(i).)
(iv) If EPA notifies the MS4 operator of deficiencies or inadequacies in any portion of the NOI (including the SWMP), the MS4 operator must correct the deficient or inadequate portions and submit a written statement to EPA certifying that appropriate changes have been made. The certification must be submitted within the time-frame specified by EPA and must specify how the NOI has been amended to address the identified concerns.

(v) The NOI must be signed and certified in accordance with Parts IV.H.1 and 4. Signature for the NOI, which effectively takes the place of an individual permit application, may not be delegated to a lower level under Part IV.H.2

b. Terminating Coverage.

(i) A permittee may terminate coverage under this general permit by submitting a notice of termination (NOT). Authorization to discharge terminates at midnight on the day the NOT is post-marked for delivery to EPA.

(ii) A permittee must submit an NOT to EPA within 30 days after the permittee:

(a) Ceases discharging storm water from the MS4,

(b) Ceases operations at the MS4, or

(c) Transfers ownership of or responsibility for the facility to another operator.

(iii) The NOT will consist of a letter to EPA and must include the following information:

(a) Name, mailing address, and location of the MS4 for which the notification is submitted;

(b) The name, address and telephone number of the operator addressed by the NOT;

(c) The NPDES permit number for the MS4;

(d) An indication of whether another operator has assumed responsibility for the MS4, the discharger has ceased operations at the MS4, or the storm water discharges have been eliminated; and

(e) The following certification:

I certify under penalty of law that all storm water discharges from the identified MS4 that are authorized by an NPDES general permit have been eliminated, or that I am no longer the operator of the MS4, or that I have ceased operations at the MS4. I understand that by submitting this Notice of Termination I am no longer authorized to discharge storm water under this general permit, and discharging pollutants in storm water to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by an NPDES permit. I also understand that the submission of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

(f) NOTs, signed in accordance with Part IV.H.1 of this permit, must be sent to the e-mail address in Part 1.B.3. Electronic submittal of the NOT required in the permit using a compatible Integrated Compliance Information System (ICIS) format would be allowed if available.

B. NOTICE OF INTENT REQUIREMENTS

1. Deadlines for Notification.

   a. Designations: Small MS4s automatically designated under 40 CFR 122.32(a)(1), large MS4s located within the corporate boundary of the COA including the COA and former co-permittees under the NPDES permit No
NMS000101, and MS4s designated under 40 CFR 122.26(a)(1)(v), 40 CFR 122.26(a)(9)(i)(C) or (D), or 40 CFR 122.32(a)(2) are required to submit individual NOIs by the dates listed in Table 1. Any MS4 designated as needing a permit after issuance of this permit will be given an individualized deadline for NOI submittal by the Director at the time of designation.

In lieu of creating duplicate program elements for each individual permittee, implementation of the SWMP, as required in Part I.D, may be achieved through participation with other permittees, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part D. For these programs with cooperative elements, the permittee may submit individual NOIs as established in Table 1. See also “Permittees with Cooperative Elements in their SWMP” under Part I.B.4 and “Shared Responsibilities and Cooperative Programs” under Part I.D.3.

Table 1 Deadlines to Submit NOI

<table>
<thead>
<tr>
<th>Permittee Class Type</th>
<th>NOI Deadlines</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class A:</strong> MS4s within the Cooperative Boundary of the COA including former co-permittees under the NPDES permit No NMS000101</td>
<td>90 days from effective date of the permit or 180 days from effective date of the permit if participating in cooperative programs for one or more program elements.</td>
</tr>
<tr>
<td><strong>Class B:</strong> MS4s designated under 40 CFR 122.32(a)(1). Based on 2000 Decennial Census Map</td>
<td>90 days from effective date of the permit or 180 days from effective date of the permit if participating in cooperative programs for one or more program elements.</td>
</tr>
<tr>
<td><strong>Class C:</strong> MS4s designated under 40 CFR 122.26(a)(1)(v), 40 CFR 122.26(a)(9)(i)(C) or (D), or 40 CFR 122.32(a)(2) or MS4s newly designated under 122.32(a)(1) based on 2010 Decennial Census Map</td>
<td>180 days from effective date of the permit or notice of designation, unless the notice of designation grants a later date or; 180 days from effective date of the permit if participating in cooperative programs for one or more program elements.</td>
</tr>
<tr>
<td><strong>Class D:</strong> MS4s within Indian Country Lands designed under 40 CFR 122.26(a)(1)(v), 122.26(a)(9)(i)(C) or (D), 122.32(a)(1), or 122.32(a)(2)</td>
<td>180 days from effective date of the permit or notice of designation, unless the notice of designation grants a later date or; 180 days from effective date of the permit if participating in cooperative programs for one or more program elements.</td>
</tr>
</tbody>
</table>

See Appendix A for list of potential permittees in the Middle Rio Grande Watershed

b. New Operators. For new operators of all or a part of an already permitted MS4 (due to change on operator or expansion of the MS4) who will take over implementation of the existing SWMP covering those areas, the NOI must be submitted 30 days prior to taking over operational control of the MS4. Existing permittees who are expanding coverage of their MS4 area (e.g., city annexes part of unincorporated county MS4) are not required to submit a new NOI, but must comply with Part I.D.6.d.

c. Submitting a Late NOI. MS4s not able to meet the NOI deadline in Table 1 and Part I.B.1.b due to delays in determining eligibility should notify EPA of the circumstance and progress to date at the address in Part I.B.3 and then proceed with a late NOI. MS4 operators are not prohibited from submitting an NOI after the dates provided in Table 1 and Part I.B.1.b. If a late NOI is submitted, the authorization is only for discharges that occur after permit coverage is effective. The permitting authority reserves the right to take appropriate enforcement actions for any unpermitted discharges.

d. End of Administrative Continued Coverage under Previous Permit. Administrative continuance is triggered by a timely reapplication. Discharges submitting an NOI for coverage under this permit are considered to have met
the timely reapplication requirement if NOI is submitted by the deadlines included in Table 1 of Part 1.B.1. For MS4s previously covered under either NMS000101 or NMR040000, continued coverage under those permits ends: a) the day after the applicable deadline for submittal of an NOI if a complete NOI has not been submitted or b) upon notice of authorization under this permit if a complete and timely NOI is submitted.

2. **Contents of Notice of Intent.** An MS4 operator eligible for coverage under this general permit must submit an NOI to discharge under this general permit. The NOI will consist of a letter to EPA containing the following information (see suggested EPA R6 MS4 NOI Format located in EPA website at http://www.epa.gov/region6/water/npdes/swms4/index.htm) and must be signed in accordance with Part IV.H of this permit:

   a. The legal name of the MS4 operator and the name of the urbanized area and core municipality (or Indian reservation/pueblo) in which the operator’s MS4 is located;

   b. The full facility mailing address and telephone number;

   c. The name and phone number of the person or persons responsible for overall coordination of the SWMP;

   d. An attached location map showing the boundaries of the MS4 under the applicant’s jurisdiction. The map must include streets or other demarcations so that the exact boundaries can be located;

   e. The area of land served by the applicant’s MS4 (in square miles);

   f. The latitude and longitude of the approximate center of the MS4;

   g. The name(s) of the waters of the United States that receive discharges from the system.

   h. If the applicant is participating in a cooperative program element or is relying on another entity to satisfy one or more permit obligations (see Part I.D.3), identify the entity(ies) and the element(s) the entity(ies) will be implementing;

   i. Information on each of the storm water minimum control measures in Part I.D.5 of this permit and how the SWMP will reduce pollutants in discharges to the Maximum Extent Practicable. For each minimum control measure, include the following:

      (i) Description of the best management practices (BMPs) that will be implemented;

      (ii) Measurable goals for each BMP; and

      (iii) Time frames (i.e., month and year) for implementing each BMP;

   j. Based on the requirements of Part I.A.3.b describe how the eligibility criteria for historic properties have been met;

   k. Indicate whether or not the MS4 discharges to a receiving water for which EPA has approved or developed a TMDL. If so, describe how the eligibility requirements of Part I.A.5.f and Part I.C.2 have been met.

   Note: If an individual permittee or a group of permittees seeks an alternative sub-measureable goal for TMDL controls under Part I.C.2.b.(i),(c),B, the permittee or a group of permittees must submit a preliminary proposal with the NOI. This proposal shall include, but is not limited to, the elements included in Appendix B under Section B.2.

   l. Signature and certification by an appropriate official (see Part IV.H). The NOI must include the certification statement from Part IV.H.4.
3. **Where to Submit.** The MS4 operator must submit the signed NOI to EPA via e-mail at R6_MS4Permits@epa.gov (note: there is an underscore between R6 and MS4) and NMED to the address provided in Part III.D.4. See also Part III.D.4 to determine if a copy must be provided to a Tribal agency.

The following MS4 operators: AMAFCA, Sandoval County, Village of Corrales, City of Rio Rancho, Town of Bernalillo, SCAFCJA, and ESCAFCA must submit the signed NOI to the Pueblo of Sandia to the address provided in Part III.D.4.


4. **Permittees with Cooperative Elements in their SWMP.** Any MS4 that meets the requirements of Part I.A of this general permit may choose to partner with one or more other regulated MS4 to develop and implement a SWMP or SWMP element. The partnering MS4s must submit separate NOIs and have their own SWMP, which may incorporate jointly developed program elements. If responsibilities are being shared as provided in Part I.D.3 of this permit, the SWMP must describe which permittees are responsible for implementing which aspects of each of the minimum measures. All MS4 permittees are subject to the provisions in Part I.D.6.

Each individual MS4 in a joint agreement implementing a permit condition will be independently assessed for compliance with the terms of the joint agreement. Compliance with that individual MS4s obligations under the joint agreement will be deemed compliance with that permit condition. Should one or more individual MS4s fail to comply with the joint agreement, causing the joint agreement program to fail to meet the requirements of the permit, the obligation of all parties to the joint agreement is to develop within 30 days and implement within 90 days an alternative program to satisfy the terms of the permit.

C. **SPECIAL CONDITIONS**

1. **Compliance with Water Quality Standards.** Pursuant to Clean Water Act §402(p)(3)(B)(iii) and 40 CFR §122.4(d)(1), this permit includes provisions to ensure that discharges from the permittee’s MS4 do not cause or contribute to exceedances of applicable surface water quality standards, in addition to requirements to control discharges to the maximum extent practicable (MEP) set forth in Part I.D. Permittees shall address stormwater management through development of the SWMP that shall include the following elements and specific requirements included in Part VI.

   a. Permittee’s discharges shall not cause or contribute to an exceedance of surface water quality standards (including numeric and narrative water quality criteria) applicable to the receiving waters. In determining whether the SWMP is effective in meeting this requirement or if enhancements to the plan are needed, the permittee shall consider available monitoring data, visual assessment, and site inspection reports.

   b. Applicable surface water quality standards for discharges from the permittees’ MS4 are those that are approved by EPA and any other subsequent modifications approved by EPA upon the effective date of this permit found at New Mexico Administrative Code §20.6.4. Discharges from various portions of the MS4 also flow downstream into waters with Pueblo of Isleta and Pueblo of Sandia Water Quality Standards;

   c. The permittee shall notify EPA and the Pueblo of Isleta in writing as soon as practical but not later than thirty (30) calendar days following each Pueblo of Isleta water quality standard exceedance at an in-stream sampling location. In the event that EPA determines that a discharge from the MS4 causes or contributes to an exceedance of applicable surface water quality standards and notifies the permittee of such an exceedance, the permittee shall, within sixty (60) days of notification, submit to EPA, NMED, Pueblo of Isleta (upon request) and Pueblo of Sandia (upon request), a report that describes controls that are currently being implemented and additional controls that will be implemented to prevent pollutants sufficient to ensure that the discharge will no longer cause or contribute to an exceedance of applicable surface water quality standards. The permittee shall implement such additional controls upon notification by EPA and shall incorporate such measures into their SWMP as described in Part I.D of this permit. NMED or the affected Tribe may provide information
documenting exceedances of applicable water quality standards caused or contributed to by the discharges authorized by this permit to EPA Region 6 and request EPA take action under this paragraph.

d. Phase I Dissolved Oxygen Program (Applicable only to the COA and AMAFCA as a continuation of program in 2012 NMS000101 individual permit): Within one year from effective date of the permit, the permittees shall revise the May 1, 2012 Strategy to continue taking measures to address concerns regarding discharges to the Rio Grande by implementing controls to eliminate conditions that cause or contribute to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. The permittees shall:

(i) Continue identifying structural elements, natural or man-made topographical and geographical formations, MS4 operations activities, or oxygen demanding pollutants contributing to reduced dissolved oxygen in the receiving waters of the Rio Grande. Both dry and wet weather discharges shall be addressed. Assessment may be made using available data or collecting additional data;

(ii) Continue implementing controls, and updating/revising as necessary, to eliminate structural elements or the discharge of pollutants at levels that cause or contribute to exceedances of applicable water quality standards for dissolved oxygen in waters of the United States;

(iii) To verify the remedial action in the North Diversion Channel Embayment, the COA and AMAFCA shall continue sampling for DO and temperature until the data indicate the discharge does not exceed applicable dissolved oxygen water quality standards in waters of the United States; and

(iv) Submit a revised strategy to FWS for consultation and EPA for approval from a year of effective date of the permit and progress reports with the subsequent Annual Reports. Progress reports to include:

(a) Summary of data.

(b) Activities undertaken to identify MS4 discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. Including summary of findings of the assessment required in Part I.C.1.d.(i).

(c) Conclusions drawn, including support for any determinations.

(d) Activities undertaken to eliminate MS4 discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States.

(e) Account of stakeholder involvement.

c. PCBs (Applicable only to the COA and AMAFCA as a continuation of program in 2012 NMS000101 individual permit and Bernalillo County): The permittee shall address concerns regarding PCBs in channel drainage areas specified in Part I.C.1.e.(vi) by developing or continue updating/revising and implementing a strategy to identify and eliminate controllable sources of PCBs that cause or contribute to exceedances of applicable water quality standards in waters of the United States. Bernalillo County shall submit the proposed PCB strategy to EPA within two (2) years from the effective date of the permit and submit a progress report with the third and with subsequent Annual Reports. COA and AMAFCA shall submit a progress report with the first and with the subsequent Annual Reports. The progress reports shall include:

(i) Summary of data.

(ii) Findings regarding controllable sources of PCBs in the channel drainages area specified in Part I.C.1.e.(vi) that cause or contribute to exceedances of applicable water quality standards in waters of the United States via the discharge of municipal stormwater.

(iii) Conclusions drawn, including supporting information for any determinations.
(iv) Activities undertaken to eliminate controllable sources of PCBs in the drainage areas specified in Part I.C.1.e.(vi) that cause or contribute to exceedances of applicable water quality standards in waters of the United States via the discharge of municipal stormwater including proposed activities that extend beyond the five (5) year permit term.

(v) Account of stakeholder involvement in the process.

(vi) Channel Drainage Areas: The PCB strategy required in Part I.C.1.e is only applicable to:

COA and AMAFCA Channel Drainage Areas:
- San Jose Drain
- North Diversion Channel

Bernalillo County Channel Drainage Areas:
- Adobe Acres Drain
- Alameda Outfall Channel
- Paseo del Norte Outfall Channel
- Sanchez Farm Drainage Area

A cooperative strategy to address PCBs in the COA, AMAFCA, and Bernalillo County’s drainage areas may be developed between Bernalillo County, AMAFCA, and the COA. If a cooperative strategy is developed, the cooperative strategy shall be submitted to EPA within three (3) years from the effective date of the permit and submit a progress report with the fourth and with subsequent Annual Reports.

Note: COA and AMAFCA must continue implementing the existing PCB strategy until a new Cooperative PCB Strategy is submitted to EPA.

f. Temperature (Applicable only to the COA and AMAFCA as a continuation of program in 2012 NMS000101 individual permit): The permittees must continue assessing the potential effect of stormwater discharges in the Rio Grande by collecting and evaluating additional data. If the data indicates there is a potential of stormwater discharges contributing to exceedances of applicable temperature water quality standards in waters of the United States, within thirty (30) days such as findings, the permittees must develop and implement a strategy to eliminate conditions that cause or contribute to these exceedances. The strategy must include:

(i) Identify structural controls, post construction design standards, or pollutants contributing to raised temperatures in the receiving waters of the Rio Grande. Both dry and wet weather discharges shall be addressed. Assessment may be made using available data or collecting additional data;

(ii) Develop and implement controls to eliminate structural controls, post construction design standards, or the discharge of pollutants at levels that cause or contribute to exceedances of applicable water quality standards for temperature in waters of the United States; and

(iii) Provide a progress report with the first and with subsequent Annual Reports. The progress reports shall include:

(a) Summary of data.

(b) Activities undertaken to identify MS4 discharge contribution to exceedances of applicable temperature water quality standards in waters of the United States.

(c) Conclusions drawn, including supporting information for any determinations.

(d) Activities undertaken to reduce MS4 discharge contribution to exceedances of applicable temperature water quality standards in waters of the United States.

(e) Accounting of stakeholder involvement.
2. **Discharges to Impaired Waters with and without approved TMDLs.** Impaired waters are those that have been identified pursuant to Section 303(d) of the Clean Water Act as not meeting applicable surface water quality standards. This may include both waters with EPA-approved Total Maximum Daily Loads (TMDLs) and those for which a TMDL has not yet been approved. For the purposes of this permit, the conditions for discharges to impaired waters also extend to controlling pollutants in MS4 discharges to tributaries to the listed impaired waters in the Middle Rio Grande watershed boundary identified in Appendix A.

a. Discharges of pollutant(s) of concern to impaired water bodies for which there is an EPA approved total maximum daily load (TMDL) are not eligible for this general permit unless they are consistent with the approved TMDL. A water body is considered impaired for the purposes of this permit if it has been identified pursuant to the latest EPA approved CWA §303(d) list, as not meeting New Mexico Surface Water Quality Standards.

b. The permittee shall control the discharges of pollutant(s) of concern to impaired waters and waters with approved TMDLs as provided in sections (i) and (ii) below, and shall assess the success in controlling those pollutants.

(i) **Discharges to Water Quality Impaired Water Bodies with an Approved TMDL.**

If the permittee discharges to an impaired water body with an approved TMDL (see Appendix B), where stormwater has the potential to cause or contribute to the impairment, the permittee shall include in the SWMP controls targeting the pollutant(s) of concern along with any additional or modified controls required in the TMDL and this section. The SWMP and required annual reports must include information on implementing any focused controls required to reduce the pollutant(s) of concern as described below:

(a) **Targeted Controls:** The SWMP submitted with the first annual report must include a detailed description of all targeted controls to be implemented, such as identifying areas of focused effort or implementing additional Best Management Practices (BMPs) that will be implemented to reduce the pollutant(s) of concern in the impaired waters.

(b) **Measurable Goals:** For each targeted control, the SWMP must include a measurable goal and an implementation schedule describing BMPs to be implemented during each year of the permit term. Where the impairment is for bacteria, the permittee must, at minimum comply with the activities and schedules described in Table 1.a of Part 1.C.2.(iii).

(c) **Identification of Measurable Goal:** The SWMP must identify a measurable goal for the pollutant(s) of concern. The value of the measurable goal must be based on one of the following options:

A. If the permittee is subject to a TMDL that identifies an aggregate Waste Load Allocation (WLA) for all or a class of permitted MS4 stormwater sources, then the SWMP may identify such WLA as the measurable goal. Where an aggregate WLA measurable goal is used, all affected MS4 operators are jointly responsible for progress in meeting the measurable goal and shall (jointly or individually) develop a monitoring/assessment plan. This program element may be coordinated with the monitoring required in Part III.A.

B. Alternatively, if multiple permittees are discharging into the same impaired water body with an approved TMDL (which has an aggregate WLA for all permitted stormwater MS4s), the MS4s may combine or share efforts, in consultation with/and the approval of NMED, to determine an alternative sub-measurable goal derived from the WLA for the pollutant(s) of concern (e.g., bacteria) for their respective MS4. The SWMP must clearly define this alternative approach and must describe how the sub-measurable goals would cumulatively support the aggregate WLA. Where an aggregate WLA measurable goal has been broken into sub-measurable goals for individual MS4s, each permittee is only responsible for progress in meeting its WLA sub-measurable goal.
C. If the permittee is subject to an individual WLA specifically assigned to that permittee, the measurable goal must be the assigned WLA. Where WLAs have been individually assigned, or where the permittee is the only regulated MS4 within the urbanized area that is discharging into the impaired watershed with an approved TMDL, the permittee is only responsible for progress in meeting its WLA measurable goal.

(d) Annual Report: The annual report must include an analysis of how the selected BMPs have been effective in contributing to achieving the measurable goal and shall include graphic representation of pollutant trends, along with computations of annual percent reductions achieved from the baseline loads and comparisons with the target loads.

(e) Impairment for Bacteria: If the pollutant of concern is bacteria, the permittee shall include focused BMPs addressing the five areas below, as applicable, in the SWMP and implement as appropriate. If a TMDL Implementation Plan (a plan created by the State or a Tribe) is available, the permittee may refer to the TMDL Implementation Plan for appropriate BMPs. The SWMP and annual report must include justification for not implementing a particular BMP included in the TMDL Implementation Plan. The permittee may not exclude BMPs associated with the minimum control measures required under 40 CFR §122.34 from their list of proposed BMPs. The BMPs shall, as appropriate, address the following:

A. Sanitary Sewer Systems
   - Make improvements to sanitary sewers;
   - Address lift station inadequacies;
   - Identify and implement operation and maintenance procedures;
   - Improve reporting of violations; and
   - Strengthen controls designed to prevent overflows

B. On-site Sewage Facilities (for entities with appropriate jurisdiction)
   - Identify and address failing systems; and
   - Address inadequate maintenance of On-Site Sewage Facilities (OSSFs).

C. Illicit Discharges and Dumping
   - Place additional effort to reduce waste sources of bacteria, for example, from septic systems, grease traps, and grit traps.

D. Animal Sources
   - Expand existing management programs to identify and target animal sources such as zoos, pet waste, and horse stables.

E. Residential Education: Increase focus to educate residents on:
   - Bacteria discharging from a residential site either during runoff events or directly;
   - Fats, oils, and grease clogging sanitary sewer lines and resulting overflows;
   - Decorative ponds; and
   - Pet waste.

(f) Monitoring or Assessment of Progress: The permittee shall monitor or assess progress in achieving measurable goals and determining the effectiveness of BMPs, and shall include documentation of this monitoring or assessment in the SWMP and annual reports. In addition, the SWMP must include methods to be used. This program element may be coordinated with the monitoring required in Part III.A. The permittee may use the following methods either individually or in conjunction to evaluate progress towards the measurable goal and improvements in water quality as follows:

A. Evaluating Program Implementation Measures: The permittee may evaluate and report progress towards the measurable goal by describing the activities and BMPs implemented, by identifying the appropriateness of the identified BMPs, and by evaluating the success of implementing the measurable goals. The permittee may assess progress by using program implementation indicators
such as: (1) number of sources identified or eliminated; (2) decrease in number of illegal dumping; (3) increase in illegal dumping reporting; (4) number of educational opportunities conducted; (5) reductions in SSOS; or, (6) increase in illegal discharge detection through dry screening, etc.; and

B. Assessing Improvements in Water Quality: The permittee may assess improvements in water quality by using available data for segment and assessment units of water bodies from other reliable sources, or by proposing and justifying a different approach such as collecting additional instream or outfall monitoring data, etc. Data may be acquired from NMED, local river authorities, partnerships, and/or other local efforts as appropriate. Progress towards achieving the measurable goal shall be reported in the annual report. Annual reports shall report the measurable goal and the year(s) during the permit term that the MS4 conducted additional sampling or other assessment activities.

(g) Observing no Progress towards the Measurable Goal: If, by the end of the third year from the effective date of the permit, the permittee observes no progress toward the measurable goal either from program implementation or water quality assessments, the permittee shall identify alternative focused BMPs that address new or increased efforts towards the measurable goal. As appropriate, the MS4 may develop a new approach to identify the most significant sources of the pollutant(s) of concern and shall develop alternative focused BMPs (this may also include information that identifies issues beyond the MS4’s control). These revised BMPs must be included in the SWMP and subsequent annual reports.

Where the permittee originally used a measurable goal based on an aggregated WLA, the permittee may combine or share efforts with other MS4s discharging to the same impaired stream segment to determine an alternative sub-measurable goal for the pollutant(s) of concern for their respective MS4s, as described in Part I.C.2.b.(i)(c).B above. Permittees must document, in their SWMP for the next permit term, the proposed schedule for the development and subsequent adoption of alternative sub-measurable goals for the pollutant(s) of concern for their respective MS4s and associated assessment of progress in meeting those individual goals.

(ii) Discharges Directly to Water Quality Impaired Water Bodies without an Approved TMDL:
The permittee shall also determine whether the permitted discharge is directly to one or more water quality impaired water bodies where a TMDL has not yet been approved by NMED and EPA. If the permittee discharges directly into an impaired water body without an approved TMDL, the permittee shall perform the following activities:

(a) Discharging a Pollutant of Concern: The permittee shall:

A. Determine whether the MS4 may be a source of the pollutant(s) of concern by referring to the CWA §303(d) list and then determining if discharges from the MS4 would be likely to contain the pollutant(s) of concern at levels of concern. The evaluation of CWA §303(d) list parameters should be conducted on an analysis of existing data (e.g., Illicit Discharge and Improper Disposal Program) conducted within the permittee’s jurisdiction.

B. Ensure that the SWMP includes focused BMPs, along with corresponding measurable goals, that the permittee will implement, to reduce, the discharge of pollutant(s) of concern that contribute to the impairment of the water body. (note: Only applicable if the permittee determines that the MS4 may discharge the pollutant(s) of concern to an impaired water body without a TMDL. The SWMP submitted with the first annual report must include a detailed description of proposed controls to be implemented along with corresponding measurable goals.

C. Amend the SWMP to include any additional BMPs to address the pollutant(s) of concern.

(b) Impairment for Bacteria: Where the impairment is for bacteria, the permittee shall identify potential significant sources and develop and implement targeted BMPs to control bacteria from those sources (see Part I.C.2.b.(i).c).A through E. The permittee must, at minimum comply with the activities and
schedules described in Table 1.a of Part I.C.2.(iii). The annual report must include information on compliance with this section, including results of any sampling conducted by the permittee.

Note: Probable pollutant sources identified by permittees should be submitted to NMED on the following form: ftp://ftp.unmenv.state.nm.us/www/swqf/Surveys/PublicProbableSourceIDSurvey.pdf

(c) Impairment for Nutrients: Where the impairment is for nutrients (e.g., nitrogen or phosphorus), the permittee shall identify potential significant sources and develop and implement targeted BMPs to control nutrients from potential sources. The permittee must, at minimum comply with the activities and schedules described in Table 1.b of Part I.C.2, (iii). The annual report must include information on compliance with this section, including results of any sampling conducted by the permittee.

(d) Impairment for Dissolved Oxygen: See Endangered Species Act (ESA) Requirements in Part I.C.3. These program elements may be coordinated with the monitoring required in Part III.A.

(iii) Program Development and Implementation Schedules: Where the impairment is for nutrient constituent (e.g., nitrogen or phosphorus) or bacteria, the permittee must at minimum comply with the activities and schedules in Table 1.a and Table 1.b.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Class Permittee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A Phase I MS4s</td>
</tr>
<tr>
<td>Identify potential significant sources of the pollutant of concern entering your MS4</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Develop (or modify an existing program ***) and implement a public education program to reduce the discharge of bacteria in municipal storm water contributed by (if applicable) by pets, recreational and exhibition livestock, and zoos.</td>
<td>Twelve (12) months from effective date of permit</td>
</tr>
<tr>
<td>Develop (or modify an existing program ***) and implement a program to reduce the discharge of bacteria in municipal storm water contributed by areas within your MS4 served by on-site wastewater treatment systems.</td>
<td>Fourteen (14) months from effective date of permit</td>
</tr>
<tr>
<td>Review results to date from the Illicit Discharge Detection and Elimination program (see Part I,D,5,e) and modify as necessary to prioritize the detection and elimination of discharges contributing bacteria to the MS4</td>
<td>Fourteen (14) months from effective date of permit</td>
</tr>
</tbody>
</table>
Develop (or modify an existing program ***) and implement a program to reduce the discharge of bacteria in municipal storm water contributed by other significant source identified in the Illicit Discharge Detection and Elimination program (see Part 1.D.5.c). Include in the Annual Reports progress on program implementation and reducing the bacteria and updates their measurable goals as necessary.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Class Permittee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A Phase I MS4s</td>
</tr>
<tr>
<td>Identify potential significant sources of the pollutant of concern entering your MS4</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Develop (or modify an existing program ***) and implement a public education program to reduce the discharge of pollutant of concern in municipal storm water contributed by residential and commercial use of fertilizer</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Develop (or modify an existing program ***) and implement a program to reduce the discharge of the pollutant of concern in municipal storm water contributed by fertilizer use at municipal operations (e.g., parks, roadways, municipal facilities)</td>
<td>One (1) year from effective date of permit</td>
</tr>
</tbody>
</table>

(*) During development of cooperative programs, the permittee must continue to implement existing programs

(**) or MS4s designated by the Director

(***) Permittees previously covered under permit NMS000101 or NMR040000

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

Table 1.b. Pre-TMDL Nutrient Program Development and Implementation Schedules
### Endangered Species Act (ESA) Requirements

Consistent with U.S. FWS Biological Opinion dated August 21, 2014 to ensure actions required by this permit are not likely to jeopardize the continued existence of any currently listed as endangered or threatened species or adversely affect its critical habitat, permittees shall meet the following requirements and include them in the SWMP:

#### a. Dissolved Oxygen Strategy in the Receiving Waters of the Rio Grande:

(i) The permittees must identify (or continue identifying if previously covered under permit NMS000101) structural controls, natural or man-made topographical and geographical formations, MS4 operations, or oxygen demanding pollutants contributing to reduced dissolved oxygen in the receiving waters of the Rio Grande. The permittees shall implement controls, and update/revise as necessary, to eliminate discharge of pollutants at levels that cause or contribute to exceedances of applicable water quality standards for dissolved oxygen in waters of the Rio Grande. The permittees shall submit a summary of findings and a summary of activities undertaken under Part I.C.3.a.(i) with each Annual Report. The SWMP submitted with the first and fourth annual reports must include a detailed description of controls implemented (or/and proposed control to be implemented) along with corresponding measurable goals. (Applicable to all permittees).

(ii) As required in Part I.C.1.d, the COA and AMAFCA shall revise the May 1, 2012 Strategy for dissolved oxygen to address dissolved oxygen at the North Diversion Channel Embayment and/or other MS4 locations. The permittees shall submit the revised strategy to FWS and EPA for approval within a year of permit issuance and progress reports with the subsequent Annual Reports (see also Part I.C.1.d.(iv)). The permittees shall ensure that actions to reduce pollutants or remedial activities selected for the North Diversion Channel Embayment and its watershed are implemented such that there is a reduction in...
frequency and magnitude of all low oxygen storm water discharge events that occur in the Embayment or downstream in the MRG as indicated in Table 1.c. Actions to meet the year 3 measurable goals must be taken within 2 years from the effective date of the permit. Actions to meet the year 5 measurable goals must be taken within 4 years from the effective date of the permit.

Table 1.c Measurable Goals of Anoxic and Hypoxia Levels Measured by Permit Year

<table>
<thead>
<tr>
<th>Permit Year</th>
<th>Anoxic Events*, max</th>
<th>Hypoxia Events**, max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>18</td>
<td>36</td>
</tr>
<tr>
<td>Year 2</td>
<td>18</td>
<td>36</td>
</tr>
<tr>
<td>Year 3</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>Year 4</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>Year 5</td>
<td>4</td>
<td>9</td>
</tr>
</tbody>
</table>

Notes:
- * Anoxic Events: See Appendix G, for oxygen saturation and dissolved oxygen concentrations at various water temperatures and atmospheric pressures for the North Diversion Channel area that are considered anoxic and associated with the Rio Grande silvery minnow lethality.
- ** Hypoxia Events: See Appendix for G, for oxygen saturation and dissolved oxygen concentrations at various water temperatures and atmospheric pressures for the North Diversion Channel area that are considered hypoxic and associated with the Rio Grande silvery minnow harassment.

(a) The revised strategy shall include:

A. A Monitoring Plan describing all procedures necessary to continue conducting continuous monitoring of dissolved oxygen (DO) and temperature in the North Diversion Channel Embayment and at one (1) location in the Rio Grande downstream of the mouth of the North Diversion Channel within the action area (e.g., Central Bridge). The monitoring plan to be developed will describe the methodology used to assure its quality, and will identify the means necessary to address any gaps that occur during monitoring, in a timely manner (that is, within 24 to 48 hours).

B. A Quality Assurance and Quality Control (QA/QC) Plan describing all standard operating procedures, quality assurance and quality control plans, maintenance, and implementation schedules that will assure timely and accurate collection and reporting of water temperature, dissolved oxygen, oxygen saturation, and flow. The QA/QC plan should include all procedures for estimating oxygen data when any oxygen monitoring equipment fail. Until a monitoring plan with quality assurance and quality control is submitted by EPA, any data, including any provisional or incomplete data from the most recent measurement period (e.g., if inoperative monitoring equipment for one day, use data from previous day) shall be used as substitutes for all values in the calculations for determinations of incidental takes. Given the nature of the data collected as surrogate for incidental take, all data, even provisional data (e.g., oxygen/water temperature data, associated metadata such as flows, date, times), shall be provided to the Service in a spreadsheet or database format within two weeks after formal request.

(b) Reporting: The COA and AMAFCA shall provide

A. An Annual Incidental Take Report to EPA and the Service that includes the following information: beginning and end date of any qualifying stormwater events, dissolved oxygen values and water temperature in the North Diversion Channel Embayment, dissolved oxygen values and water temperature at a downstream monitoring station in the MRG, flow rate in the North Diversion Channel, mean daily flow rate in the MRG, evaluation of oxygen and temperature data
as either anoxic or hypoxic using Table 2 of the BO, and estimate the number of silvery minnows taken based on Appendix A of the BO. Electronic copy of The Annual Incidental Take Report should be provided with the Annual Report required under Part III.B no later than December 1 for the proceeding calendar year.

B. A summary of data and findings with each Annual Report to EPA and the Service. All data collected (including provisional oxygen and water temperature data, and associated metadata), transferred, stored, summarized, and evaluated shall be included in the Annual Report. If additional data is requested by EPA or the Service, The COA and AMAPCA shall provide such as information within two weeks upon request.

The revised strategy required under Part I.C.3.a.(ii), the Annual Incidental Take Reports required under Part I.C.3.a.(ii),(b).A, and Annual Reports required under Part III.B can be submitted to FWS via e-mail nmesfo@fws.gov and joel_hask@fws.gov, or by mail to the New Mexico Ecological Services field office, 2105 Osuna Road NE, Albuquerque, New Mexico 87113. (Only Applicable to the COA and AMAPCA

b. Sediment Pollutant Load Reduction Strategy (Applicable to all permittees): The permittee must develop, implement, and evaluate a sediment pollutant load reduction strategy to assess and reduce pollutant loads associated with sediment (e.g., metals, etc. adsorbed to or traveling with sediment, as opposed to clean sediment) into the receiving waters of the Rio Grande. The strategy must include the following elements:

(i) Sediment Assessment: The permittee must identify and investigate areas within its jurisdiction that may be contributing excessive levels (e.g., levels that may contribute to exceedance of applicable Water Quality Standards) of pollutants in sediments to the receiving waters of the Rio Grande as a result of stormwater discharges. The permittee must identify structural elements, natural or man-made topographical and geographical formations, MS4 operations activities, and areas indicated as potential sources of sediments pollutants in the receiving waters of the Rio Grande. At the time of assessment, the permittee shall record any observed erosion of soil or sediment along ephemeral channels, arroyos, or stream banks, noting the scouring or sedimentation in streams. The assessment should be made using available data from federal, state, or local studies supplemented as necessary with collection of additional data. The permittee must describe, in the first annual report, all standard operating procedures, quality assurance plans to assure that accurate data are collected, summarized, evaluated and reported.

(ii) Estimate Baseline Loading: Based on the results of the sediment pollutants assessment required in Part I.C.3.b.(i) above the permittee must provide estimates of baseline total sediment loading and relative potential for contamination of those sediments by urban activities for drainage areas, sub-watersheds, Impervious Areas (IAs), and/or Directly Connected Impervious Area (DCIAs) draining directly to a surface waterbody or other feature used to convey waters of the United States. Sediment loads may be provided for targeted areas in the entire Middle Rio Grande Watershed (see Appendix A) using an individual or cooperative approach. Any data available and/or preliminary numeric modeling results may be used in estimating loads.

(iii) Targeted Controls: Include a detailed description of all proposed targeted controls and BMPs that will be implemented to reduce sediment pollutant loads calculated in Part I.C.3.b.(ii) above during the next ten (10) years of permit issuance. For each targeted control, the permittee must include interim measurable goals (e.g., interim sediment pollutant load reductions) and an implementation and maintenance schedule, including interim milestones, for each control measure, and as appropriate, the months and years in which the MS4 will undertake the required actions. Any data available and/or preliminary numeric modeling results may be used in establishing the targeted controls, BMPs, and interim measurable goals. The permittee must prioritize pollutant load reduction efforts and target areas (e.g. drainage areas, sub-watersheds, IAs, DCIAs) that generate the highest annual average pollutant loads.

(iv) Monitoring and Interim Reporting: The permittee shall monitor or assess progress in achieving interim measurable goals and determining the effectiveness of BMPs, and shall include documentation of this
monitoring or assessment in the SWMP and annual reports. In addition, the SWMP must include methods to be used. This program element may be coordinated with the monitoring required in Part III.A.

(v) **Progress Evaluation and Reporting:** The permittee must assess the overall success of the Sediment Pollutant Load Reduction Strategy and document both direct and indirect measurements of program effectiveness in a Progress Report to be submitted with the fifth Annual Report. Data must be analyzed, interpreted, and reported so that results can be applied to such purposes as documenting effectiveness of the BMPs and compliance with the ESA requirements specified in Part I.C.3.b. The Progress Report must include:

(a) A list of species likely to be within the action area;

(b) Type and number of structural BMPs installed;

(c) Evaluation of pollutant source reduction efforts;

(d) Any recommendation based on program evaluation;

(e) Description of how the interim sediment load reduction goals established in Part I.C.3.b.(iii) were achieved; and

(f) Future planning activities needed to achieve increase of sediment load reduction required in Part I.C.3.d.(iii).

(vi) **Critical Habitat (Applicable to all permittees):** Verify that the installation of stormwater BMPs will not occur in or adversely affect currently listed endangered or threatened species critical habitat by reviewing the activities and locations of stormwater BMP installation within the location of critical habitat of currently listed endangered or threatened species at the U.S. Fish and Wildlife service website [http://criticalhabitat.fws.gov/critical](http://criticalhabitat.fws.gov/critical).

**D. STORMWATER MANAGEMENT PROGRAM (SWMP)**

1. **General Requirements.** The permittee must develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants from a MS4 to the maximum extent practicable (MEP), to protect water quality (including that of downstream state or tribal waters), and to satisfy applicable surface water quality standards. The permittee shall continue implementation of existing SWMPs, and where necessary modify or revise existing elements and/or develop new elements to comply with all discharges from the MS4 authorized in Part I.A. The updated SWMP shall satisfy all requirements of this permit, and be implemented in accordance with Section 402(p)(3)(B) of the Clean Water Act (Act), and the Stormwater Regulations (40 CFR §122.26 and §122.34). This permit does not extend any compliance deadlines set forth in the previous permits (NMS000010 with effective date March 1, 2012 and permits No: NM NMR040000 and NMR040001 with effective date July 1, 2007).

   If a permittee is already in compliance with one or more requirements in this section because it is already subject to and complying with a related local, state, or federal requirement that is at least as stringent as this permit’s requirement, the permittee may reference the relevant requirement as part of the SWMP and document why this permit’s requirement has been satisfied. Where this permit has additional conditions that apply, above and beyond what is required by the related local, state, or federal requirement, the permittee is still responsible for complying with these additional conditions in this permit.

2. **Legal Authority.** Each permittee shall implement the legal authority granted by the State or Tribal Government to control discharges to and from those portions of the MS4 over which it has jurisdiction. The difference in each permittee’s jurisdiction and legal authorities, especially with respect to third parties, may be taken into account in developing the scope of program elements and necessary agreements (i.e. Joint Powers Agreement, Memorandum of Agreement, Memorandum of Understanding, etc.). Permittees may use a combination of statute, ordinance, permit, contract, order, interagency or inter-jurisdictional agreement(s) with other permittees to:
a. Control the contribution of pollutants to the MS4 by stormwater discharges associated with industrial activity and the quality of stormwater discharged from sites of industrial activity (applicable only to MS4s located within the corporate boundary of the COA);

b. Control the discharge of stormwater and pollutants associated with land disturbance and development activities, both during the construction phase and after site stabilization has been achieved (post-construction), consistent with Part I.D.5.a and Part I.D.5.b;

c. Prohibit illicit discharges and sanitary sewer overflows to the MS4 and require removal of such discharges consistent with Part I.D.5.e;

d. Control the discharge of spills and prohibit the dumping or disposal of materials other than stormwater (e.g. industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;

e. Control, through interagency or inter-jurisdictional agreements among permittees, the contribution of pollutants from one (1) portion of the MS4 to another;

f. Require compliance with conditions in ordinances, permits, contracts and/or orders; and

g. Carry out all inspection, surveillance and monitoring procedures necessary to maintain compliance with permit conditions.

3. Shared Responsibility and Cooperative Programs

a. The SWMP, in addition to any interagency or inter-jurisdictional agreement(s) among permittees, (e.g., the Joint Powers Agreement to be entered into by the permittees), shall clearly identify the roles and responsibilities of each permittee.

b. Implementation of the SWMP may be achieved through participation with other permittees, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part I.D in lieu of creating duplicate program elements for each individual permittee.

(i) Implementation of one or more of the control measures may be shared with another entity, or the entity may fully take over the measure. A permittee may rely on another entity only if:

(a) the other entity, in fact, implements the control measure;

(b) the control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; or,

(c) the other entity agrees to implement the control measure on the permittee’s behalf. Written acceptance of this obligation is expected. The permittee must maintain this obligation as part of the SWMP description. If the other entity agrees to report on the minimum measure, the permittee must supply the other entity with the reporting requirements in Part III.D of this permit. The permittee remains responsible for compliance with the permit obligations if the other entity fails to implement the control measure component.

c. Each permittee shall provide adequate finance, staff, equipment, and support capabilities to fully implement its SWMP and all requirements of this permit.

4. Measurable Goals. The permittees shall control the discharge of pollutants from its MS4. The permittee shall implement the provisions set forth in Part I.D.5 below, and shall at a minimum incorporate into the SWMP the control measures listed in Part I.D.5 below. The SWMP shall include measurable goals, including interim milestones, for each control measure, and as appropriate, the months and years in which the MS4 will undertake the required actions and the frequency of the action.
5. Control Measures.
   
a. Construction Site Stormwater Runoff Control.
   
(i) The permittee shall develop, revise, implement, and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. Permittees previously covered under permit NMS000101 or NMR040000 must continue existing programs, updating as necessary, to comply with the requirements of this permit. (Note: Highway Departments and Flood Control Authorities may only apply the construction site stormwater management program to the permittee's own construction projects)

(ii) The program must include the development, implementation, and enforcement of, at a minimum:

   (a) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State, Tribal or local law;

   (b) Requirements for construction site operators to implement appropriate erosion and sediment control best management practices (both structural and non-structural);

   (c) Requirements for construction site operators to control waste such as, but not limited to, discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality (see EPA guidance at http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=117);

   (d) Procedures for site plan review which incorporate consideration of potential water quality impacts. The site plan review must be conducted prior to commencement of construction activities, and include a review of the site design, the planned operations at the construction site, the planned control measures during the construction phase (including the technical criteria for selection of the control measures), and the planned controls to be used to manage runoff created after the development;

   (e) Procedures for receipt and consideration of information submitted by the public;

   (f) Procedures for site inspection (during construction) and enforcement of control measures, including provisions to ensure proper construction, operation, maintenance, and repair. The procedures must clearly define who is responsible for site inspections; who has the authority to implement enforcement procedures; and the steps utilized to identify priority sites for inspection and enforcement based on the nature of the construction activity, topography, and the characteristics of soils and the quality of the receiving water. If a construction site operator fails to comply with procedures or policies established by the permittee, the permittee may request EPA enforcement assistance. The site inspection and enforcement procedures must describe sanctions and enforcement mechanism(s) for violations of permit requirements and penalties with detail regarding corrective action follow-up procedures, including enforcement escalation procedures for recalcitrant or repeat offenders. Possible sanctions include non-monetary penalties (such as stop work orders and/or permit denials for non-compliance), as well as monetary penalties such as fines and bonding requirements;

   (g) Procedures to educate and train permittee personnel involved in the planning, review, permitting, and/or approval of construction site plans, inspections and enforcement. Education and training shall also be provided for developers, construction site operators, contractors and supporting personnel, including requiring a stormwater pollution prevention plan for construction sites within the permittee's jurisdiction;

   (h) Procedures for keeping records of and tracking all regulated construction activities within the MS4, i.e. site reviews, inspections, inspection reports, warning letters and other enforcement documents. A
summary of the number and frequency of site reviews, inspections (including inspector's checklist for oversight of sediment and erosion controls and proper disposal of construction wastes) and enforcement activities that are conducted annually and cumulatively during the permit term shall be included in each annual report; and

(iii) Annually conduct site inspections of 100 percent of all construction projects cumulatively disturbing one (1) or more acres within the MS4 jurisdiction. Site inspections are to be followed by any necessary compliance or enforcement action. Follow-up inspections are to be conducted to ensure corrective maintenance has occurred; and, all projects must be inspected at completion for confirmation of final stabilization.

(iv) The permittee must coordinate with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction projects/activities within the permit area to ensure that the construction stormwater runoff controls eliminate erosion and maintain sediment on site. Planning documents include, but are not limited to: comprehensive or master plans, subdivision ordinances, general land use plan, zoning code, transportation master plan, specific area plans, such as sector plan, site area plans, corridor plans, or unified development ordinances.

(v) The site plan review required in Part I.D.5.a.(ii)(d) must include an evaluation of opportunities for use of GI/LID/Sustainable practices and when the opportunity exists, encourage project proponents to incorporate such practices into the site design to mimic the pre-development hydrology of the previously undeveloped site. For purposes of this permit, pre-development hydrology shall be met according to Part I.D.5.b of this permit. (consistent with any limitations on that capture). Include a reporting requirement of the number of plans that had opportunities to implement these practices and how many incorporated these practices.

(vi) The permittee must include in the SWMP a description of the mechanism(s) that will be utilized to comply with each of the elements required in Part I.D.5.a.(i) throughout Part I.D.5.a.(v), including description of each individual BMP (both structural or non-structural) or source control measures and its corresponding measurable goal.

(vii) The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report. The permittee must include in each annual report:

(a) A summary of the frequency of site reviews, inspections and enforcement activities that are conducted annually and cumulatively during the permit term.

(b) The number of plans that had the opportunity to implement GI/LID/Sustainable practices and how many incorporated the practices.

Program Flexibility Elements

(viii) The permittee may use storm water educational materials locally developed or provided by the EPA (refer to http://water.epa.gov/po/waste/npdes/swbmp/index.cfm, http://www.epa.gov/smartgrowth/parking.htm, http://www.epa.gov/smartgrowth/stormwater.htm), the NREI, environmental, public interest or trade organizations, and/or other MS4s.

(ix) The permittee may develop or update existing construction handbooks (e.g., the COA NPDES Stormwater Management Guidelines for Construction and Industrial Activities Handbook) to be consistent with promulgated construction and development effluent limitation guidelines.

(x) The construction site inspections required in Part I.D.5.a.(iii) may be carried out in conjunction with the permittee's building code inspections using a screening prioritization process.
<table>
<thead>
<tr>
<th>Activity</th>
<th>A Phase I MS4s</th>
<th>B Phase II MS4s (2000 Census)</th>
<th>C New Phase II MS4s (2010 Census **)</th>
<th>D MS4s within Indian Lands</th>
<th>Cooperative (*)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of an ordinance or other regulatory mechanism as required in Part l.D.5.a.(ii)(a)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>Eighteen (18) months from effective date of the permit</td>
</tr>
<tr>
<td>Develop requirements and procedures as required in Part l.D.5.a.(ii)(b) through Part l.D.5.a.(ii)(b)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Thirteen (13) months from effective date of permit</td>
<td>Sixteen (16) months from effective date of permit</td>
<td>Sixteen (16) months from effective date of permit</td>
<td>Eighteen (18) months from effective date of permit</td>
</tr>
<tr>
<td>Annually conduct site inspections of 100 percent of all construction projects cumulatively disturbing one (1) or more acres as required in Part l.D.5.a.(iii)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Start Thirteen (13) months from effective date of permit</td>
<td>Start Sixteen (16) months from effective date of permit and annually thereafter</td>
<td>Start eighteen (18) months from effective date of permit and thereafter</td>
<td>Start two (2) years from effective date of permit and thereafter</td>
</tr>
<tr>
<td>Coordinate with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction projects/activities within the permit area as required in Part l.D.5.a.(iv)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>Twelve (12) months from effective date of permit</td>
<td>Twelve (12) months from effective date of permit</td>
<td>Fourteen (14) months from effective date of permit</td>
</tr>
<tr>
<td>Evaluation of G/LID/Sustainable practices in site plan reviews as required in Part l.D.5.a.(v)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>Twelve (12) months from effective date of permit</td>
<td>Twelve (12) months from effective date of permit</td>
<td>Fourteen (14) months from effective date of permit</td>
</tr>
<tr>
<td>Update the SWMP document and annual report as required in Part l.D.5.a.(vi) and in Part l.D.5.a.(vii)</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
</tr>
<tr>
<td>Enhance the program to include program elements in Part l.D.5.a.(viii) through Part l.D.5.a.(x)</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
<td>Update as necessary</td>
</tr>
</tbody>
</table>
(*) During development of cooperative programs, the permittee must continue to implement existing programs. (***) or MS4s designated by the Director.

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

b. Post-Construction Stormwater Management in New Development and Redevelopment

(i) The permittee must develop, revise, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts. Permittees previously covered under NMS00101 or NMR040000 must continue existing programs, updating as necessary, to comply with the requirements of this permit. (Note: Highway Departments and Flood Control Authorities may only apply the post-construction stormwater management program to the permittee’s own construction projects)

(ii) The program must include the development, implementation, and enforcement of, at a minimum:

(a) Strategies which include a combination of structural and/or non-structural best management practices (BMPs) to control pollutants in stormwater runoff.

(b) An ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State, Tribal or local law. The ordinance or policy must:

- Incorporate a stormwater quality design standard that manages on-site the 90th percentile storm event discharge volume associated with new development sites and 80th percentile storm event discharge volume associated with redevelopment sites, through stormwater controls that infiltrate, evaporate and discharge, except in instances where full compliance cannot be achieved, as provided in Part I.D.5.b.(v). The stormwater from rooftop discharge may be harvested and used on-site for commercial use. Any controls utilizing impoundments that are also used for flood control that are located in areas where the New Mexico Office of the State Engineer requirements at NMAC 19.26.2.15 (see also Section 72-5-32 NMSA) apply must drain within 96 hours unless the state engineer has issued a waiver to the owner of the impoundment.

- Options to implement the site design standard include, but not limited to: management of the discharge volume achieved by canopy interception, soil amendments, rainfall harvesting, rain tanks and cisterns, engineered infiltration, extended filtration, dry swales, bioretention, roof top disconnections, permeable pavement, porous concrete, permeable pavers, reforestation, grass channels, green roofs and other appropriate techniques, and any combination of these practices, including implementation of other stormwater controls used to reduce pollutants in stormwater (e.g., a water quality facility).

- Estimation of the 90th or 80th percentile storm event discharge volume is included in EPA Technical Report entitled “Estimating Predevelopment Hydrology in the Middle Rio Grande Watershed, New Mexico, EPA Publication Number 832-R-14-007”. Permittees can also estimate:

  Option A: a site specific 90th or 80th percentile storm event discharge volume using methodology specified in the referenced EPA Technical Report.

  Option B: a site specific pre-development hydrology and associated storm event discharge volume using methodology specified in the referenced EPA technical Report.

(c) The permittee must ensure the appropriate implementation of the structural BMPs by considering some or all of the following: pre-construction review of BMP designs; inspections during construction to verify BMPs are built as designed; post-construction inspection and maintenance of BMPs; and penalty provisions for the noncompliance with preconstruction BMP design; failure to construct BMPs
in accordance with the agreed upon pre-construction design; and ineffective post-construction operation and maintenance of BMPs;

(d) The permittee must ensure that the post-construction program requirements are constantly reviewed and revised as appropriate to incorporate improvements in control techniques;

(e) Procedure to develop and implement an educational program for project developers regarding designs to control water quality effects from stormwater, and a training program for plan review staff regarding stormwater standards, site design techniques and controls, including training regarding GI/LID/Sustainability practices. Training may be developed independently or obtained from outside resources, i.e. federal, state, or local experts;

(f) Procedures for site inspection and enforcement to ensure proper long-term operation, maintenance, and repair of stormwater management practices that are put into place as part of construction projects/activities. Procedure(s) shall include the requirement that as-built plans be submitted within ninety (90) days of completion of construction projects/activities that include controls designed to manage the stormwater associated with the completed site (post-construction stormwater management). Procedure(s) may include the use of dedicated funds or escrow accounts for development projects or the adoption by the permittee of all privately owned control measures. This may also include the development of maintenance contracts between the owner of the control measure and the permittee. The maintenance contract shall include verification of maintenance practices by the owner, allows the MS4 owner/operator to inspect the maintenance practices, and perform maintenance if inspections indicate neglect by the owner;

(g) Procedures to control the discharge of pollutants related to commercial application and distribution of pesticides, herbicides, and fertilizers where permittee(s) hold jurisdiction over lands not directly owned by that entity (e.g., incorporated city). The procedures must ensure that herbicides and pesticides applicators doing business within the permittee’s jurisdiction have been properly trained and certified, are encouraged to use the least toxic products, and control use and application rates according to the applicable requirements; and

(h) Procedure or system to review and update, as necessary, the existing program to ensure that stormwater controls or management practices for new development and redevelopment projects/activities continue to meet the requirements and objectives of the permit.

(iii) The permittee must coordinate with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private new development and redevelopment projects/activities within the permit area to ensure the hydrology associated with new development and redevelopment sites mimic to the extent practicable the pre-development hydrology of the previously undeveloped site, except in instances where the pre-development hydrology requirement conflicts with applicable water rights appropriation requirements. For purposes of this permit, pre-development hydrology shall be met by capturing the 90th percentile storm event runoff (consistent with any limitations on that capture) which under undeveloped natural conditions would be expected to infiltrate or evaporate and result in little, if any, off-site runoff. (Note: This permit does not prevent permittees from requiring additional controls for flood control purposes.) Planning documents include, but are not limited to: comprehensive or master plans, subdivision ordinances, general land use plan, zoning code, transportation master plan, specific area plans, such as sector plan, site area plans, corridor plans, or unified development ordinances.

(iv) The permittee must assess all existing codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices. The assessment shall include a list of the identified impediments, necessary regulation changes, and recommendations and proposed schedules to incorporate policies and standards to relevant documents and procedures to maximize infiltration, recharge, water harvesting, habitat improvement, and hydrological management of stormwater runoff as allowed under the applicable water rights appropriation requirements. The permittee must develop a report of the assessment findings, which is to be used to provide information to the permittee, of the regulation changes necessary to remove impediments and allow implementation of these practices.
(v) Alternative Compliance for Infeasibility due to Site Constrains:

(a) Infeasibility to manage the design standard volume specified in Part I(D)(5)(b)(ii)(b), or a portion of the design standard volume, onsite may result from site constraints including the following:

A. too small a lot outside of the building footprint to create the necessary infiltrative capacity even with amended soils;

B. soil instability as documented by a thorough geotechnical analysis;

C. a site use that is inconsistent with capture and reuse of storm water;

D. other physical conditions; or,

E. to comply with applicable requirements for on-site flood control structures leaves insufficient area to meet the standard.

(b) A determination that it is infeasible to manage the design standard volume specified in Part I(D)(5)(b)(ii)(b), or a portion of the design standard volume, on site may not be based solely on the difficulty or cost of implementing onsite control measures, but must include multiple criteria that rule out an adequate combination of the practices set forth in Part I(D)(5)(b)(v).

(c) This permit does not prevent imposition of more stringent requirements related to flood control. Where both the permittee's site design standard ordinance or policy and local flood control requirements on site cannot be met due to site conditions, the standard may be met through a combination of on-site and off-site controls.

(d) Where applicable New Mexico water law limits the ability to fully manage the design standard volume on site, measures to minimize increased discharge consistent with requirements under New Mexico water law must still be implemented.

(e) In instances where an alternative to compliance with the standard on site is chosen, technical justification as to the infeasibility of on-site management of the entire design standard volume, or a portion of the design standard volume, is required to be documented by submitting to the permittee a site-specific hydrologic and/or design analysis conducted and endorsed by a registered professional engineer, geologist, architect, and/or landscape architect.

(f) When a Permittee determines a project applicant has demonstrated infeasibility due to site constraints specified in Part I(D)(5)(b)(v) to manage the design standard volume specified in Part I(D)(5)(b)(ii)(b) or a portion of the design standard volume on-site, the Permittee shall require one of the following mitigation options:

A. Off-site mitigation. The off-site mitigation option only applies to redevelopment sites and cannot be applied to new development. Management of the standard volume, or a portion of the volume, may be implemented at another location within the MS4 area, approved by the permittee. The permittee shall identify priority areas within the MS4 in which mitigation projects can be completed. The permittee shall determine who will be responsible for long-term maintenance on off-site mitigation projects.

B. Ground Water Replenishment Project: Implementation of a project that has been determined to provide an opportunity to replenish regional ground water supplies at an offsite location.

C. Payment in lieu. Payment in lieu may be made to the permittee, who will apply the funds to a public stormwater project. MS4s shall maintain a publicly accessible database of approved projects for which these payments may be used.
D. Other. In a situation where alternative options A through C above are not feasible and the permittee wants to establish another alternative option for projects, the permittee may submit to the EPA for approval, the alternative option that meets the standard.

(vi) The permittee must estimate the number of acres of impervious area (IA) and directly connected impervious area (DCIA). For the purpose of this part, IA includes conventional pavements, sidewalks, driveways, roadways, parking lots, and rooftops. DCIA is the portion of IA with a direct hydraulic connection to the permittee's MS4 or a waterbody via continuous paved surfaces, gutters, pipes, and other impervious features. DCIA typically does not include isolated impervious areas with an indirect hydraulic connection to the MS4 (e.g., swale or detention basin) or that otherwise drain to a pervious area.

(vii) The permittee must develop an inventory and priority ranking of MS4-owned property and infrastructure (including public right-of-way) that may have the potential to be retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges to and from its MS4. In determining the potential for retrofitting, the permittee shall consider factors such as the complexity and cost of implementation, public safety, access for maintenance purposes, subsurface geology, depth to water table, proximity to aquifers and subsurface infrastructure including sanitary sewers and septic systems, and opportunities for public use and education under the applicable water right requirements and restrictions. In determining its priority ranking, the permittee shall consider factors such as schedules for planned capital improvements to storm and sanitary sewer infrastructure and paving projects; current storm sewer level of service and control of discharges to impaired waters, streams, and critical receiving water (drinking water supply sources);

(viii) The permittee must incorporate watershed protection elements into relevant policy and/or planning documents as they come up for regular review. If a relevant planning document is not scheduled for review during the term of this permit, the permittee must identify the elements that cannot be implemented until that document is revised, and provide to EPA and NMED a schedule for incorporation and implementation not to exceed five years from the effective date of this permit. As applicable to each permittee's MS4 jurisdiction, policy and/or planning documents must include the following:

(a) A description of master planning and project planning procedures to control the discharge of pollutants to and from the MS4.

(b) Minimize the amount of impervious surfaces (roads, parking lots, roofs, etc.) within each watershed, by controlling the unnecessary creation, extension and widening of impervious parking lots, roads and associated development. The permittee may evaluate the need to add impervious surface on a case-by-case basis and seek to identify alternatives that will meet the need without creating the impervious surface.

(c) Identify environmentally and ecologically sensitive areas that provide water quality benefits and serve critical watershed functions within the MS4 and ensure requirements to preserve, protect, create and/or restore these areas are developed and implemented during the plan and design phases of projects in these identified areas. These areas may include, but are not limited to critical watersheds, floodplains, and areas with endangered species concerns and historic properties. Stakeholders shall be consulted as appropriate.

(d) Implement stormwater management practices that minimize water quality impacts to streams, including disconnecting direct discharges to surface waters from impervious surfaces such as parking lots.

(e) Implement stormwater management practices that protect and enhance groundwater recharge as allowed under the applicable water rights laws.

(f) Seek to avoid or prevent hydromodification of streams and other water bodies caused by development, including roads, highways, and bridges.
(g) Develop and implement policies to protect native soils, prevent topsoil stripping, and prevent compaction of soils.

(i) The program must be specifically tailored to address local community needs (e.g., protection to drinking water sources, reduction of water quality impacts) and must be designed to attempt to maintain pre-development runoff conditions.

(ix) The permittee must update the SWMP as necessary to include a description of the mechanism(s) utilized to comply with each of the elements required in Part I.D.5.b.(i) throughout Part I.D.5.b.(viii) as well as the citations and descriptions of design standards for structural and non-structural controls to control pollutants in stormwater runoff, including discussion of the methodology used during design for estimating impacts to water quality and selecting structural and non-structural controls. Description of measurable goals for each BMP (structural or non-structural) or each stormwater control must be included in the SWMP.

(x) The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report. The following information must be included in each annual report:

(a) Include a summary and analysis of all maintenance, inspections and enforcement, and the number and frequency of inspections performed annually.

(b) A cumulative listing of the annual modifications made to the Post-Construction Stormwater Management Program during the permit term, and a cumulative listing of annual revisions to administrative procedures made or ordinances enacted during the permit term.

(c) According to the schedule presented in the Program Development and Implementation Schedule in Table 3, the permittee must

A. Report the number of MS4-owned properties and infrastructure that have been retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges. The permittee may also include in its annual report non-MS4 owned property that has been retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges.

B. As required in Part I.D.5.b.(vi), report the tabulated results for IA and DCIA and its estimation methodology. In each subsequent annual report, the permittee shall estimate the number of acres of IA and DCIA that have been added or removed during the prior year. The permittee shall include in its estimates the additions and reductions resulting from development, redevelopment, or retrofit projects undertaken directly by the permittee; or by private developers and other parties in a voluntary manner on in compliance with the permittee’s regulations.

Program Flexibility Elements:

(xi) The permittee may use storm water educational materials locally developed or provided by EPA (refer to http://water.epa.gov/pw/wpswsw/hmp/index.cfm, http://www.epa.gov/smartgrowth/parking.htm, and http://www.epa.gov/smartgrowth/stormwater.htm); the NMEI; environmental, public interest or trade organizations; and/or other MS4s.

(xii) When choosing appropriate BMPs, the permittee may participate in locally-based watershed planning efforts, which attempt to involve a diverse group of stakeholders including interested citizens. When developing a program that is consistent with this measure’s intent, the permittee may adopt a planning process that identifies the municipality’s program goals (e.g., minimize water quality impacts resulting from post-construction runoff from new development and redevelopment), implementation strategies (e.g., adopt a combination of structural and/or non-structural BMPs), operation and maintenance policies and procedures, and enforcement procedures.
(xiii) The permittee may incorporate the following elements in the Post-Construction Stormwater Management in New Development and Redevelopment program required in Part I.D.5.b.(ii)(b):

(a) Provide requirements and standards to direct growth to identified areas to protect environmentally and ecologically sensitive areas such as floodplains and/or other areas with endangered species and historic properties concerns;

(b) Include requirements to maintain and/or increase open space/buffers along sensitive water bodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation; and

(c) Encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure.

Table 3. Post-Construction Stormwater Management in New Development and Redevelopment - Program Development and Implementation Schedules

<table>
<thead>
<tr>
<th>Activity</th>
<th>Permittee Class</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A Phase I MS4s</td>
</tr>
<tr>
<td>Development of strategies as required in Part I.D.5.b.(ii).a</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Development of an ordinance or other regulatory mechanism as required in Part I.D.5.b.(ii).b</td>
<td>Twenty (24) months from effective date of permit</td>
</tr>
<tr>
<td>Implementation and enforcement, via the ordinance or other regulatory mechanism, of site design standards as required in Part I.D.5.b.(ii).b</td>
<td>Within thirty six (36) months from effective date of the permit</td>
</tr>
<tr>
<td>Ensure appropriate implementation of structural controls as required in Part I.D.5.b.(ii).c and Part I.D.5.b.(ii).d</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Develop procedures as required in Part I.D.5.b.(ii).e, Part I.D.5.b.(ii).f, Part I.D.5.b.(ii).g, and Part I.D.5.b.(ii).h</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Coordinate internally with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction projects/activities within the permit area as required in Part I.D.5.b.(iii)</td>
<td>Ten (10) months from effective date of permit</td>
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<tr>
<td>As required in Part I.D.5.b.(iv), the permittee must assess all existing codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>As required in Part I.D.5.b.(iv), develop and submit a report of the assessment findings on GI/LID/Sustainable practices.</td>
<td>Eleven (11) months from effective date of permit</td>
</tr>
<tr>
<td>Estimation of the number of acres of 1A and DCIA as required in Part I.D.5.b.(vi)</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Inventory and priority ranking as required in section in Part I.D.5.b.(vii)</td>
<td>Within fifteen (15) months from effective date of the permit</td>
</tr>
<tr>
<td>Incorporate watershed protection elements as required in Part I.D.5.b.(viii)</td>
<td>Ten (10) months from effective date of permit</td>
</tr>
<tr>
<td>Update the SWMP document and annual report as required in Part I.D.5.b.(ix) and Part I.D.5.b.(x)</td>
<td>Update as necessary</td>
</tr>
<tr>
<td>Enhance the program to include program elements in Part I.D.5.b.(xi) and Part I.D.5.b.(xii)</td>
<td>Update as necessary</td>
</tr>
</tbody>
</table>

(*) During development of cooperative programs, the permittee must continue to implement existing programs.

(**) or MS4s designated by the Director

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.
c. **Pollution Prevention/Good Housekeeping for Municipal/Co-permittee Operations**

   (i) The permittee must develop, revise and implement an operation and maintenance program that includes a training component and the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Permittees previously covered under NMS000101 or NMR040000 must continue existing programs while updating those programs, as necessary, to comply with the requirements of this permit. The program must include:

   (a) Development and implementation of an employee training program to incorporate pollution prevention and good housekeeping techniques into everyday operations and maintenance activities. The employee training program must be designed to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. The permittee must also develop a tracking procedure and ensure that employee turnover is considered when determining frequency of training;

   (b) Maintenance activities, maintenance schedules, and long term inspections procedures for structural and non-structural stormwater controls to reduce floatable, trash, and other pollutants discharged from the MS4.

   (c) Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations, snow disposal areas operated by the permittee, and waste transfer stations;

   (d) Procedures for properly disposing of waste removed from the separate storm sewers and areas listed in Part 1.D.5.c.(i),(c) (such as dredge spoil, accumulated sediments, floatables, and other debris); and

   (e) Procedures to ensure that new flood management projects assess the impacts on water quality and examine existing projects for incorporating additional water quality protection devices or practices.

   *Note:* The permittee may use training materials that are available from EPA, NMED, Tribe, or other organizations.

   (ii) The Pollution Prevention/Good Housekeeping program must include the following elements:

   (a) Develop or update the existing list of all stormwater quality facilities by drainage basin, including location and description;

   (b) Develop or modify existing operational manual for de-icing activities addressing alternate materials and methods to control impacts to stormwater quality;

   (c) Develop or modify existing program to control pollution in stormwater runoff from equipment and vehicle maintenance yards and maintenance center operations located within the MS4;

   (d) Develop or modify existing street sweeping program. Assess possible benefits from changing frequency or timing of sweeping activities or utilizing different equipment for sweeping activities;

   (e) A description of procedures used by permittees to target roadway areas most likely to contribute pollutants to and from the MS4 (i.e., runoff discharges directly to sensitive receiving water, roadway receives majority of de-icing material, roadway receives excess litter, roadway receives greater loads of oil and grease);

   (f) Develop or revise existing standard operating procedures for collection of used motor vehicle fluids (at a minimum oil and antifreeze) and toxics (including paint, solvents, fertilizers, pesticides, herbicides,
and other hazardous materials) used in permittee operations or discarded in the MS4, for recycle, reuse, or proper disposal;

(g) Develop or revised existing standard operating procedures for the disposal of accumulated sediments, floatables, and other debris collected from the MS4 and during permittee operations to ensure proper disposal;

(h) Develop or revised existing litter source control programs to include public awareness campaigns targeting the permittee audience; and

(i) Develop or review and revise, as necessary, the criteria, procedures and schedule to evaluate existing flood control devices, structures and drainage ways to assess the potential of retrofitting to provide additional pollutant removal from stormwater. Implement routine review to ensure new and/or innovative practices are implemented where applicable.

(j) Enhance inspection and maintenance programs by coordinating with maintenance personnel to ensure that a target number of structures per basin are inspected and maintained per quarter;

(k) Enhance the existing program to control the discharge of floatables and trash from the MS4 by implementing source control of floatables in industrial and commercial areas;

(l) Include in each annual report, a cumulative summary of retrofit evaluations conducted during the permit term on existing flood control devices, structures and drainage ways to benefit water quality. Update the SWMP to include a schedule (with priorities) for identified retrofit projects;

(m) Flood management projects: review and revise, as necessary, technical criteria guidance documents and program for the assessment of water quality impacts and incorporation of water quality controls into future flood control projects. The criteria guidance document must include the following elements:

A. Describe how new flood control projects are assessed for water quality impacts.

B. Provide citations and descriptions of design standards that ensure water quality controls are incorporated in future flood control projects.

C. Include method for permittees to update standards with new and/or innovative practices.

D. Describe master planning and project planning procedures and design review procedures.

(n) Develop procedures to control the discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied, by the permittee’s employees or contractors, to public right-of-ways, parks, and other municipal property. The permittee must provide an updated description of the data monitoring system for all permittee departments utilizing pesticides, herbicides and fertilizers.

(iii) Comply with the requirements included in the EPA Multi Sector General Permit (MSGP) to control runoff from industrial facilities (as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xii)) owned or operated by the permittees and ultimately discharge to the MS4. The permittees must develop or update:

(a) A list of municipal/permittee operations impacted by this program,

(b) A map showing the industrial facilities owned and operated by the MS4,

(c) A list of the industrial facilities (other than large construction activities defined as industrial activity) that will be included in the industrial runoff control program by category and by basin. The list must include the permit authorization number or a MSGP NOI ID for each facility as applicable.
(iv) The permittee must include in the SWMP a description of the mechanism(s) utilized to comply with each of the elements required in Part 5.5.(i) throughout Part 5.5.(iii) and its corresponding measurable goal.

(v) The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report.

Table 4. Pollution Prevention/Good Housekeeping for Municipal/Co-permittee Operations - Program Development and Implementation Schedules

<table>
<thead>
<tr>
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<td></td>
<td>A Phase I MS4s</td>
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<tr>
<td>Develop or update the Pollution Prevention/Good House Keeping program to include the elements in Part 5.5.(i)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td>Enhance the program to include the elements in Part 5.5.(ii)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td>Develop or update a list and a map of industrial facilities owned or operated by the permittee as required in Part 5.5.(iii)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td>Update the SWMP document and annual report as required in Part 5.5.(iv) and Part 5.5.(v)</td>
<td>Update as necessary</td>
</tr>
</tbody>
</table>

Notes:
- (*) During development of cooperative programs, the permittee must continue to implement existing programs (**) or MS4s designated by the Director.
- Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

D. Industrial and High Risk Runoff (Applicable only to Class A permittees)

(i) The permittee must control through ordinance, permit, contract, order or similar means, the contribution of pollutants to the municipal storm sewer by storm water discharges associated with industrial activity and the quality of storm water discharged from sites of industrial activity as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi). If no such industrial activities are in a permittee's jurisdiction, that permittee may certify that this program element does not apply.

(ii) The permittee must continue implementation and enforcement of the Industrial and High Risk Runoff program, assess the overall success of the program, and document both direct and indirect measurements of program effectiveness in the annual report. The program shall include:

(a) A description of a program to identify, monitor, and control pollutants in stormwater discharges to the MS4 from municipal landfills; other treatment, storage, or disposal facilities for municipal waste (e.g. transfer stations, incinerators, etc.); hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge the permittee(s) determines are contributing a substantial pollutant loading to the
MS4. (Note: If no such facilities are in a permittee's jurisdiction, that permittee may certify that this program element does not apply.); and

(b) Priorities and procedures for inspections and establishing and implementing control measures for such discharges.

(iii) Permittees must comply with the monitoring requirements specified in Part III.A.4;

(iv) The permittee must modify the following as necessary:

(a) The list of the facilities included in the program, by category and basin;

(b) Schedules and frequency of inspection for listed facilities. Facility inspections may be carried out in conjunction with other municipal programs (e.g. pretreatment inspections of industrial users, health inspections, fire inspections, etc.), but must include random inspections for facilities not normally visited by the municipality;

(c) The priorities for inspections and procedures used during inspections (e.g. inspection checklist, review for NPDES permit coverage, review of stormwater pollution prevention plan, etc.); and

(d) Monitoring frequency, parameters and entity performing monitoring and analyses (MS4 permittees or subject facility). The monitoring program may include a waiver of monitoring for parameters at individual facilities based on a “no-exposure” certification;

(v) The permittee must include in the SWMP a description of the mechanism(s) utilized to comply with each of the elements required in Part I.D.5.d.(i) throughout Part I.D.5.d.(iv) and its corresponding measurable goal.

(vi) The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report.

Program Flexibility Elements:

(vii) The permittee may:

(a) Use analytical monitoring data, on a parameter-by-parameter basis, that a facility has collected to comply with or apply for a State or NPDES discharge permit (other than this permit), so as to avoid unnecessary cost and duplication of effort;

(b) Allow the facility to test only one (1) outfall and to report that the quantitative data also apply to the substantially identical outfalls if:

A. A Type I or Type 2 industrial facility has two (2) or more outfalls with substantially identical effluents, and

B. Demonstration by the facility that the stormwater outfalls are substantially identical, using one (1) or all of the following methods for such demonstration. The NPDES Stormwater Sampling Guidance Document (EPA 833-B-92-001), available on EPA’s website at provides detailed guidance on each of the three options: (1) submission of a narrative description and a site map; (2) submission of matrices; or (3) submission of model matrices.

(c) Accept a copy of a “no exposure” certification from a facility made to EPA under 40 CFR §122.26(g), in lieu of analytic monitoring.
Table 5: Industrial and High Risk Runoff - Program Development and Implementation Schedules:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Permittee Class</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A Phase I MS4s</td>
</tr>
<tr>
<td></td>
<td>Any Permittee with cooperative programs</td>
</tr>
<tr>
<td>Ordinance (or other control method) as required in Part I.D.5.d.(i)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td></td>
<td>Twelve (12) months from effective date of the permit</td>
</tr>
<tr>
<td>Continue implementation and enforcement of the Industrial and High Risk Runoff program, assess the overall success of the program, and document both direct and indirect measurements of program effectiveness in the annual report as required in Part I.D.5.d.(ii)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td></td>
<td>Twelve (12) months from effective date of the permit</td>
</tr>
<tr>
<td>Meet the monitoring requirements in Part I.D.5.d.(iii)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td></td>
<td>Twelve (12) months from effective date of the permit</td>
</tr>
<tr>
<td>Include requirements in Part I.D.5.d.(iv)</td>
<td>Ten (10) months from permit effective date of the permit</td>
</tr>
<tr>
<td></td>
<td>Twelve (12) months from permit effective date of the permit</td>
</tr>
<tr>
<td>Update the SWMP document and annual report as required in Part I.D.5.d.(v) and Part I.D.5.d.(vi)</td>
<td>Update as necessary</td>
</tr>
<tr>
<td></td>
<td>Update as necessary</td>
</tr>
<tr>
<td>Enhance the program to include requirements in Part I.D.5.d.(vii)</td>
<td>Update as necessary</td>
</tr>
<tr>
<td></td>
<td>Update as necessary</td>
</tr>
</tbody>
</table>

(*) During development of cooperative programs, the permittee must continue to implement existing programs. Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

c. Illicit Discharges and Improper Disposal

(i) The permittee shall develop, revise, implement, and enforce a program to detect and eliminate illicit discharges (as defined at 40 CFR 122.26(b)(2)) entering the MS4. Permittees previously covered under NMS000101 or NMR040000 must continue existing programs while updating those programs, as necessary, to comply with the requirements of this permit. The permittee must:

(a) Develop, if not already completed, a storm sewer system map, showing the names and locations of all outfalls as well as the names and locations of all waters of the United States that receive discharges from those outfalls. Identify all discharges points into major drainage channels draining more than twenty (20) percent of the MS4 area;

(b) To the extent allowable under State, Tribal or local law, effectively prohibit, through ordinance or other regulatory mechanism, non-stormwater discharges into the MS4, and implement appropriate enforcement procedures and actions;

(c) Develop and implement a plan to detect and address non-stormwater discharges, including illegal dumping, to the MS4. The permittee must include the following elements in the plan:

A. Procedures for locating priority areas likely to have illicit discharges including field test for selected pollutant indicators (ammonia, boron, chlorine, color, conductivity, detergents, E. coli, enterococci, total coliform, fluoride, hardness, pH, potassium, conductivity, surfactants), and visually screening outfalls during dry weather;
B. Procedures for enforcement, including enforcement escalation procedures for recalcitrant or repeat offenders;

C. Procedures for removing the source of the discharge;

D. Procedures for program evaluation and assessment; and

E. Procedures for coordination with adjacent municipalities and/or state, tribal, or federal regulatory agencies to address situations where investigations indicate the illicit discharge originates outside the MS4 jurisdiction.

(d) Develop an education program to promote, publicize, and facilitate public reporting of illicit connections or discharges, and distribution of outreach materials. The permittee shall inform public employees, businesses and the general public of hazards associated with illegal discharges and improper disposal of waste.

(e) Establish a hotline to address complaints from the public.

(f) Investigate suspected significant/severe illicit discharges within forty-eight (48) hours of detection and all other discharges as soon as practicable; elimination of such discharges as expeditiously as possible; and, requirement of immediate cessation of illicit discharges upon confirmation of responsible parties.

(g) Review complaint records for the last permit term and develop a targeted source reduction program for those illicit discharge/improper disposal incidents that have occurred more than twice in two (2) or more years from different locations. (Applicable only to class A and B permittees)

(h) If applicable, implement the program using the priority ranking develop during last permit term

(ii) The permittee shall address the following categories of non-stormwater discharges or flows (e.g., illicit discharges) only if they are identified as significant contributors of pollutants to the MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(90)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water.

Note: Discharges or flows from fire fighting activities are excluded from the effective prohibitions against non-stormwater and need only be addressed where they are identified a significant sources of pollutants to water of the United States).

(iii) The permittee must screen the entire jurisdiction at least once every five (5) years and high priority areas at least once every year. High priority areas include any area where there is ongoing evidence of illicit discharges or dumping, or where there are citizen complaints on more than five (5) separate events within twelve (12) months. The permittee must:

(a) Include in its SWMP document a description of the means, methods, quality assurance and controls protocols, and schedule for successfully implementing the required screening, field monitoring, laboratory analysis, investigations, and analysis evaluation of data collected.

(b) Comply with the dry weather screening program established in Table 6 and the monitoring requirements specified in Part II.A.2.

(c) If applicable, implement the priority ranking system develop in previous permit term.
(iv) Waste Collection Programs: The permittee must develop, update, and implement programs to collect used motor vehicle fluids (at a minimum, oil and antifreeze) for recycle, reuse, or proper disposal, and to collect household hazardous waste materials (including paint, solvents, fertilizers, pesticides, herbicides, and other hazardous materials) for recycle, reuse, or proper disposal. Where available, collection programs operated by third parties may be a component of the programs. Permittees shall enhance these programs by establishing the following elements as a goal in the SWMP:

A. Increasing the frequency of the collection days hosted;
B. Expanding the program to include commercial fats, oils and greases; and
C. Coordinating program efforts between applicable permittee departments.

(v) Spill Prevention and Response. The permittee must develop, update and implement a program to prevent, contain, and respond to spills that may discharge into the MS4. The permittees must continue existing programs while updating those programs, as necessary, to comply with the requirements of this permit. The Spill Prevention and Response program shall include:

(a) Where discharge of material resulting from a spill is necessary to prevent loss of life, personal injury, or severe property damage, the permittee(s) shall take, or insure the party responsible for the spill takes, all reasonable steps to control or prevent any adverse effects to human health or the environment; and

(b) The spill response program may include a combination of spill response actions by the permittee (and/or another public or private entity), and legal requirements for private entities within the permittee's municipal jurisdiction.

(vi) The permittee must include in the SWMP a description of the mechanism(s) utilized to comply with each of the elements required in Part I.D.5.c.(i) throughout Part I.D.5.c.(v) and its corresponding measurable goal. A description of the means, methods, quality assurance and controls protocols, and schedule for successfully implementing the required screening, field monitoring, laboratory analysis, investigations, and analysis evaluation of data collected.

(vii) The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report.

(viii) The permittee must expeditiously revise as necessary, within nine (9) months from the effective date of the permit, the existing permitting/certification program to ensure that any entity applying for the use of Right of Way implements controls in their construction and maintenance procedures to control pollutants entering the MS4. (Only applicable to NMDOT)

Program Flexibility Elements

(ix) The permittee may:

(a) Divide the jurisdiction into assessment areas where monitoring at fewer locations would still provide sufficient information to determine the presence or absence of illicit discharges within the larger area;

(b) Downgrade high priority areas after the area has been screened at least once and there are citizen complaints on no more than five (5) separate events within a twelve (12) month period;

(c) Rely on a cooperative program with other MS4s for detection and elimination of illicit discharges and illegal dumping;
Table 6. Illicit Discharges and Improper Disposal - Program Development and Implementation Schedules

<table>
<thead>
<tr>
<th>Activity</th>
<th>A Phase I MS4s</th>
<th>B Phase II MS4s (2000 Census)</th>
<th>C New Phase II MS4s (2010 Census)</th>
<th>D MS4s within Indian Lands</th>
<th>Cooperative (*) Any Permittee with cooperative programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mapping as required in Part I.D.5.e.(i)(a)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>Eleven (11) months from effective date of permit</td>
<td>Eleven (11) months from effective date of permit</td>
<td>Fourteen (14) months from effective date of permit</td>
</tr>
<tr>
<td>Ordinance (or other control method) as required in Part I.D.5.e.(i)(b)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>Two (2) years from effective date of permit</td>
<td>Two (2) years from effective date of permit</td>
<td>Thirty (30) months from effective date of permit</td>
</tr>
<tr>
<td>Develop and implement an IDDE plan as required in Part I.D.5.e.(i)(c)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>Two (2) years from effective date of permit</td>
<td>Two (2) years from effective date of permit</td>
<td>Thirty (30) months from effective date of permit</td>
</tr>
<tr>
<td>Develop an education program as required in Part I.D.5.e.(i)(d)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>Eighteen (18) months from effective date of permit</td>
</tr>
<tr>
<td>Establish a hotline as required in Part I.D.5.e.(i)(e)</td>
<td>Update as necessary</td>
<td>Ten (10) months from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>Eighteen (18) months from effective date of permit</td>
</tr>
<tr>
<td>Investigate suspected significant/severe illicit discharges as required in Part I.D.5.e.(i)(f)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>Eighteen (18) months from effective date of permit</td>
</tr>
<tr>
<td>Review complaint records and develop a targeted source reduction program as required in Part I.D.5.e.(i)(g)</td>
<td>Ten (10) months from effective date of permit</td>
<td>Ten (10) months from effective date of permit</td>
<td>N/A</td>
<td>N/A</td>
<td>One (1) year from effective date of permit</td>
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</table>
Screening of system as required in Part I.D.5.e.(iii) as follows:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>1/ year</th>
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<tbody>
<tr>
<td>a.) High priority areas**</td>
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<tr>
<td>b.) Whole system</td>
<td>-Screen 20% of the MS4 per year</td>
<td>-Screen 20% of the MS4 per year</td>
<td>-Years 1 - 2: develop procedures as required in Part I.D.5.e.(i)(c)</td>
<td>-Years 1 - 2: develop procedures as required in Part I.D.5.e.(i)(c)</td>
<td>-Years 1 - 3: develop procedures as require in Part I.D.5.e.(i)(c)</td>
</tr>
</tbody>
</table>

Develop, update, and implement a Waste Collection Program as required in Part I.D.5.e.(iv)

<table>
<thead>
<tr>
<th>Requirement</th>
<th>1/ year</th>
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<tr>
<td>Ten (10) months from effective date of permit</td>
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<td></td>
<td>Two (2) years from effective date of permit</td>
<td>Two (2) years from effective date of permit</td>
<td>Thirty (30) months from effective date of permit</td>
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<td>Eighteen (18) months from effective date of permit</td>
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</table>

Develop, update and implement a Spill Prevention and Response program to prevent, contain, and respond to spills that may discharge into the MS4 as required in Part I.D.5.e.(v)

<table>
<thead>
<tr>
<th>Requirement</th>
<th>1/ year</th>
<th>1/ year</th>
<th>1/ year</th>
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<tr>
<td>Ten (10) months from effective date of permit</td>
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<td></td>
<td>One (1) year from effective date of permit</td>
<td>One (1) year from effective date of permit</td>
<td>Eighteen (18) months from effective date of permit</td>
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<tr>
<td>Ten (10) months from effective date of permit</td>
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</table>

Update the SWMP document and annual report as required in Part I.D.5.e.(iii), Part I.D.5.e.(vi), and Part I.D.5.e.(vii).

<table>
<thead>
<tr>
<th>Requirement</th>
<th>1/ year</th>
<th>1/ year</th>
<th>1/ year</th>
<th>1/ year</th>
<th>1/ year</th>
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<tbody>
<tr>
<td>Update as necessary</td>
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</table>

Enhance the program to include requirements in Part I.D.5.e.(ix)

<table>
<thead>
<tr>
<th>Requirement</th>
<th>1/ year</th>
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<th>1/ year</th>
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<tbody>
<tr>
<td>Update as necessary</td>
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<td>Update as necessary</td>
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</tbody>
</table>

(*) During development of cooperative programs, the permittee must continue to implement existing programs.

(**) High priority areas include any area where there is ongoing evidence of illicit discharges or dumping, or where there are citizen complaints on more than five (5) separate events within twelve (12) months.

(***) MS4s designated by the Director

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

f. Control of Floatables Discharges

(i) The permittee must develop, update, and implement a program to address and control floatables in discharges into the MS4. The floatables control program shall include source controls and, where necessary, structural controls. Permittees previously covered under NMS000101 or NMR040000 must continue existing programs while updating those programs, as necessary, to comply with the requirements of this permit. The following elements must be included in the program:
(a) Develop a schedule for implementation of the program to control floatables in discharges into the MS4 (Note: AMAPCA and the City of Albuquerque should update the schedule according to the findings of the 2005 AMAPCA/COA Floatable and Gross Pollutant Study and other studies); and

(b) Estimate the annual volume of floatables and trash removed from each control facility and characterize the floatable type.

(ii) The permittee must include in the SWMP a description of the mechanism(s) utilized to comply with each of the elements required in Part I.D.5.f.(i).

(iii) The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report.

Table 7. Control of Floatables Discharges - Program Development and Implementation Schedules

<table>
<thead>
<tr>
<th>Activity</th>
<th>Permittee Class</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A Phase I MS4s</td>
</tr>
<tr>
<td>- Develop a schedule to implement the program as required in Part I.D.5.f.(i)(a)</td>
<td>Ten (10) months from the effective date of the permit</td>
</tr>
<tr>
<td>- Estimate the annual volume of floatables and trash removed from each control facility and characterize the floatable type as required in Part I.D.5.f.(i)(b)</td>
<td>Ten (10) months from the effective date of the permit</td>
</tr>
<tr>
<td>Update the SWMP document and annual report as required in Part I.D.5.f.(ii) and Part I.D.5.f.(iii).</td>
<td>Update as necessary</td>
</tr>
</tbody>
</table>

(*) During development of cooperative programs, the permittee must continue to implement existing programs. (***) or MS4s designated by the Director

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

g. Public Education and Outreach on Stormwater Impacts

(i) The permittee shall, individually or cooperatively, develop, revise, implement, and maintain a comprehensive stormwater program to educate the community, employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste and about the impact that stormwater discharges on local waterways, as well as the steps that the public can take to reduce pollutants in stormwater. Permittees previously covered under NMS000101 and NMR040000 must continue existing programs while updating those programs, as necessary, to comply with the requirements of this permit.

(ii) The permittee must implement a public education program to distribute educational knowledge to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. The permittee must:
(a) Define the goals and objectives of the program based on high priority community-wide issues;

(b) Develop or utilize appropriate educational materials, such as printed materials, billboard and mass transit advertisements, signage at select locations, radio advertisements, television advertisements, and websites;

(c) Inform individuals and households about ensuring proper septic system maintenance, ensuring the proper use and disposal of landscape and garden chemicals including fertilizers and pesticides, protecting and restoring riparian vegetation, and properly disposing of used motor oil or household hazardous wastes;

(d) Inform individuals and groups how to become involved in local stream and beach restoration activities as well as activities that are coordinated by youth service and conservation corps or other citizen groups;

(e) Use tailored public education program, using a mix of locally appropriate strategies, to target specific audiences and communities. Examples of strategies include distributing brochures or fact sheets, sponsoring speaking engagements before community groups, providing public service announcements, implementing educational programs targeted at school age children, and conducting community-based projects such as storm drain stenciling, and watershed cleanups; and

(f) Use materials or outreach programs directed toward targeted groups of commercial, industrial, and institutional entities likely to have significant stormwater impacts. For example, providing information to restaurants on the impact of grease clogging storm drains and to garages on the impact of oil discharges. The permittee may tailor the outreach program to address the viewpoints and concerns of all communities, particularly minority and disadvantaged communities, as well as any special concerns relating to children. The permittee must make information available for non-English speaking residents, where appropriate.

(iii) The permittee must include the following information in the Stormwater Management Program (SWMP) document:

(a) A description of a program to promote, publicize, facilitate public reporting of the presence of illicit discharges or water quality associated with discharges from municipal separate storm sewers;

(b) A description of the education activities, public information activities, and other appropriate activities to facilitate the proper management and disposal of used oil and toxic materials; and

(c) A description of the mechanism(s) utilized to comply with each of the elements required in Part I.D.5.g.(i) and Part I.D.5.g.(ii) and its corresponding measurable goal.

(iv) The permittee must assess the overall success of the program, and document both direct and indirect measurements of program effectiveness in the Annual Report.

<table>
<thead>
<tr>
<th>Program Flexibility Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>(v) Where necessary to comply with the Minimum Control Measures established in Part I.D.5.g.(i) and Part I.D.5.g.(ii), the permittee should develop a program or modify/revise an existing education and outreach program to:</td>
</tr>
<tr>
<td>(a) Promote, publicize, and facilitate the use of Green Infrastructure (GI)/Low Impact Development (LID)/Sustainability practices; and</td>
</tr>
<tr>
<td>(b) Include an integrated public education program (including all permittee departments and programs within the MS4) regarding litter reduction, reduction in pesticide/herbicide use, recycling and proper</td>
</tr>
</tbody>
</table>
disposal (including yard waste, hazardous waste materials, and used motor vehicle fluids), and GI/LID/Sustainable practices (including xeriscaping, reduced water consumption, water harvesting practices allowed by the New Mexico State Engineer Office).

(vi) The permittee may collaborate or partner with other MS4 operators to maximize the program and cost effectiveness of the required outreach.

(vii) The education and outreach program may use citizen hotlines as a low-cost strategy to engage the public in illicit discharge surveillance.

(viii) The permittee may use stormwater educational materials provided by the State, Tribe, EPA, environmental, public interest or trade organizations, or other MS4s. The permittee may also integrate the education and outreach program with existing education and outreach programs in the Middle Rio Grande area. Example of existing programs include:

(a) Classroom education on stormwater;

   A. Develop watershed map to help students visualize area impacted.

   B. Develop pet-specific education

(b) Establish a water committee/advisor group;

(c) Contribute and participate in Stormwater Quality Team;

(d) Education/outreach for commercial activities;

(e) Hold regular employee trainings with industry groups

(f) Education of lawn and garden activities;

(g) Education on sustainable practices;

(h) Education/outreach of pet waste management;

(i) Education on the proper disposal of household hazardous waste;

(j) Education/outreach programs aimed at minority and disadvantaged communities and children;

(k) Education/outreach of trash management;

(l) Education/outreach in public events;

   A. Participate in local events—brochures, posters, etc.

   B. Participate in regional events (i.e., State Fair, Balloon Fiesta);

(m) Education/outreach using the media (e.g. publish local newsletters);

(n) Education/outreach on water conservation practices designed to reduce pollutants in storm water for home residences.
Table 8. Public Education and Outreach on Stormwater Impacts - Program Development and Implementation Schedules

<table>
<thead>
<tr>
<th>Activity</th>
<th>Permittee Class</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A Phase I MS4s</td>
</tr>
<tr>
<td>Develop, revise, implement, and maintain an education and outreach program as required in Part I.D.5.g.(i) and Part I.D.5.g.(ii)</td>
<td>Ten (10) months from the effective date of the permit</td>
</tr>
<tr>
<td>Update the SWMP document and annual report as required in Part I.D.5.g.(iii) and Part I.D.5.g.(iv)</td>
<td>Update as necessary</td>
</tr>
<tr>
<td>Enhance the program to include requirements in Part I.D.5.g.(v) through Part I.D.5.g.(viii)</td>
<td>Update as necessary</td>
</tr>
</tbody>
</table>

(*) During development of cooperative programs, the permittee must continue to implement existing programs.
(**) or MS4s designated by the Director

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

h. Public Involvement and Participation

(i) The permittee must provide local public notice of and make available for public review a copy of the complete NOI and attachments (see Part I.B.2). Local public notice may be made by newspaper notice, notice at a council meeting, posting on the internet, or other method consistent with state/tribal/local public notice requirements.

The permittee must consider all public comments received during the public notice period and modify the NOI, or include a schedule to modify the SWMP, as necessary, or as required by the Director modify the NOI or SWMP in response to such comments. The Permittees must include in the NOI any unresolved public comments and the MS4's response to these comments. Responses provided by the MS4 will be considered as part of EPA's decision-making process. See also Appendix E Providing Comments or Requesting a Public Hearing on an Operator's NOI.

(ii) The permittee shall develop, revise, implement and maintain a plan to encourage public involvement and provide opportunities for participation in the review, modification and implementation of the SWMP; develop and implement a process by which public comments to the plan are received and reviewed by the person(s) responsible for the SWMP; and, make the SWMP available to the public and to the operator of any MS4 or Tribal authority receiving discharges from the MS4. Permits previously covered under NMS0000101 or NMR0400000 must continue existing public involvement and participation programs while updating those programs, as necessary, to comply with the requirements of this permit.
(iii) The plan required in Part I.D.5.h.(ii) shall include a comprehensive planning process which involves public participation and where necessary intergovernmental coordination, to reduce the discharge of pollutants to the maximum extent practicable using management practices, control techniques and system, design and engineering methods, and such other provisions which are appropriate. The permittee must include the following elements in the plan:

(a) A detailed description of the general plan for informing the public of involvement and participation opportunities, including types of activities; target audiences; how interested parties may access the SWMP; and how the public was involved in development of the SWMP;

(b) The development and implementation of at least one (1) assessment of public behavioral change following a public education and/or participation event;

(c) A process to solicit involvement by environmental groups, environmental justice communities, civic organizations or other neighborhoods/organizations interested in water quality-related issues, including but not limited to the Middle Rio Grande Water Quality Work Group, the Middle Rio Grande Bosque Initiative, the Middle Rio Grande Endangered Species Act Collaborative Program, the Middle Rio Grande-Albuquerque Reach Watershed Group, the Pueblos of Santa Ana, Sandia and Isleta, Albuquerque Bernalillo County Water Utility Authority, UNM Colleges and Schools, and Chartered Student Organizations; and

(d) An evaluation of opportunities to utilize volunteers for stormwater pollution prevention activities and awareness throughout the area.

(iv) The permittee shall comply with State, Tribal and local public notice requirements when implementing a public involvement/participation program.

(v) The public participation process must reach out to all economic and ethnic groups. Opportunities for members of the public to participate in program development and implementation include serving as citizen representatives on a local stormwater management panel, attending public hearings, working as citizen volunteers to educate other individuals about the program, assisting in program coordination with other pre-existing programs, or participating in volunteer monitoring efforts.

(vi) The permittee must include in the SWMP a description of the mechanism(s) utilized to comply with each of the elements required in Parts I.D.5.h.(i) through Part I.D.5.h.(iv) and its corresponding measurable goal.

(vii) The permittee shall assess the overall success of the program, and document the program effectiveness in the annual report.

(viii) The permittee must provide public accessibility of the Storm Water Management Program (SWMP) document and Annual Reports online via the Internet and during normal business hours at the MS4 operator’s main office, a local library, posting on the internet and/or other readily accessible location for public inspection and copying consistent with any applicable federal, state, tribal, or local open records requirements. Upon a showing of significant public interest, the MS4 operator is encouraged to hold a public meeting (or include in the agenda of in a regularly scheduled city council meeting, etc.) on the NOI, SWMP, and Annual Reports. (See Part III B)

**Program Flexibility Elements**

(ix) The permittee may integrate the public Involvement and participation program with existing education and outreach programs in the Middle Rio Grande area. Example of existing programs include: Adopt-A-Stream Programs; Attitude Surveys; Community Hotlines (e.g. establishment of a “311”-type number and system established to handle storm-water-related concerns, setting up a public tracking/reporting
system, using phones and social media); Revegetation Programs; Storm Drain Stenciling Programs; Stream cleanup and Monitoring program/events.

Table 9. Public Involvement and Participation - Program Development and Implementation Schedules

<table>
<thead>
<tr>
<th>Activity</th>
<th>Permitee Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>A  Phase I MS4s</td>
<td>B  Phase II MS4s (2000 Census)</td>
</tr>
<tr>
<td>Develop (or update), implement, and maintain a public involvement and participation plan as required in Part I.D.5.h.(ii) and Part I.D.5.h.(iii)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td>Comply with State, Tribal, and local notice requirements when implementing a Public Involvement and Participation Program as required in Part I.D.5.h.(iv)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td>Include elements as required in Part I.D.5.h.(v)</td>
<td>Ten (10) months from effective date of the permit</td>
</tr>
<tr>
<td>Update the SWMP document and annual report as required in Part I.D.5.h.(vi), Part I.D.5.h.(vii), and Part I.D.5.h.(viii)</td>
<td>Update as necessary</td>
</tr>
<tr>
<td>Enhance the program to include requirements in Part I.D.5.h.(ix)</td>
<td>Update as necessary</td>
</tr>
</tbody>
</table>

(*) During development of cooperative programs, the permittee must continue to implement existing programs.

(**) or MS4s designated by the Director

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.


a. **Program Review.** Permittee shall participate in an annual review of its SWMP in conjunction with preparation of the annual report required in Part III.B. Results of the review shall be discussed in the annual report and shall include an assessment of:

(i) SWMP implementation, progress in achieving measurable goals, and compliance with program elements and other permit conditions;

(ii) the effectiveness of its SWMP, and any necessary modifications, in complying with the permit, including requirements to control the discharge of pollutants, and comply with water quality standards and any applicable approved TMDLs; and the adequacy of staff, funding levels, equipment, and support capabilities to fully implement the SWMP and comply with permit conditions.
(a) Project staffing requirements, in man hours, for the implementation of the MS4 program during the upcoming year.

(b) Staff man hours used during the previous year for implementing the MS4 program. Man hours may be estimated based on staff assigned, assuming a forty (40) hour work week.

b. Program Modification. The permittee(s) may modify its SWMP with prior notification or request to the EPA and NMED in accordance with this section.

(i) Modifications adding, but not eliminating, replacing, or jeopardizing fulfillment of any components, controls, or requirements of its SWMP may be made by the permittee(s) at any time upon written notification to the EPA.

(ii) Modifications replacing or eliminating an ineffective or unfeasible component, control or requirement of its SWMP, including monitoring and analysis requirements described in Parts IIIA and V, may be requested in writing at any time. If request is denied, the EPA will send a written explanation of the decision. Modification requests shall include the following:

(a) a description of why the SWMP component is ineffective, unfeasible (including cost prohibitions), or unnecessary to support compliance with the permit;

(b) expectations on the effectiveness of the proposed replacement component; and

(c) an analysis of how the proposed replacement component is expected to achieve the goals of the component to be replaced.

(iii) Modifications resulting from schedules contained in Part VI may be requested following completion of an interim task or final deadline.

(iv) Modification requests or notifications shall be made in writing, signed in accordance with Part IV.I-1.

c. Program Modifications Required by EPA. Modifications requested by EPA shall be made in writing, set forth the time schedule for the permittee(s) to develop the modifications, and offer the permittee(s) the opportunity to propose alternative program modifications to meet the objective of the requested modification. The EPA may require changes to the SWMP as needed to:

(i) Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

(ii) Include more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements;

(iii) Include such other conditions deemed necessary by the EPA to comply with the goals and requirements of the Clean Water Act; or

(iv) If, at any time, EPA determines that the SWMP does not meet permit requirements.

d. Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation: The permittee(s) shall implement the SWMP:

(i) On all new areas added to their portion of the MS4 (or for which they become responsible for implementation of stormwater quality controls) as expeditiously as possible, but not later than one (1) year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately;
(ii) Within ninety (90) days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the permittee(s) shall have a plan for implementing the SWMP on all affected areas. The plan may include schedules for implementation; and information on all new annexed areas and any resulting updates required to the SWMP shall be submitted in the annual report.

7. **Retention of Program Records.** The permittee shall retain SWMP records developed in accordance with Part I.D, Part IV.P, and Part VI for at least five (5) years after coverage under this permit terminates.

8. **Qualifying State, Tribal or Local Program.** The permittee may substitute the BMPs and measurable goals of an existing storm water pollution control program to qualify for compliance with one or more of the minimum control measures if the existing measure meets the requirements of the minimum control measure as established in Part I.D.5
PART II. NUMERIC DISCHARGE LIMITATIONS

A. DISCHARGE LIMITATIONS. Reserved
PART III. MONITORING, ASSESSMENT, AND REPORTING REQUIREMENTS:

A. MONITORING AND ASSESSMENT

The permittee must develop, in consultation with NMEQ and EPA (and affected Tribes if monitoring locations would be located on Tribal lands), and implement a comprehensive monitoring and assessment program designed to meet the following objectives:

- Assess compliance with this permit;
- Assess the effectiveness of the permittee's stormwater management program;
- Assess the impacts to receiving waters resulting from stormwater discharges;
- Characterize stormwater discharges;
- Identify sources of elevated pollutant loads and specific pollutants;
- Detect and eliminate illicit discharges and illegal connections to the MS4; and
- Assess the overall health and evaluate long-term trends in receiving water quality.

The permittee shall select specific monitoring locations sufficient to assess effects of stormwater discharges on receiving waters. The monitoring program may take advantage of monitoring stations/efforts utilized by the permittees or others in previous stormwater monitoring programs or other water quality monitoring efforts. Data collected by others at such stations may be used to satisfy part, or all, of the permit monitoring requirements provided the data collection by that party meets the requirements established in Part III.A.1 throughout Part III.A.5. The comprehensive monitoring and assessment program shall be described in the SWMP document and the results must be provided in each annual report.

Implementation of the comprehensive monitoring and assessment program may be achieved through participation with other permittees to satisfy the requirements of Part III.A.1 throughout Part III.A.5 below in lieu of creating duplicate program elements for each individual permittee.

1. Wet Weather Monitoring: The permittees shall conduct wet weather monitoring to gather information on the response of receiving waters to wet weather discharges from the MS4 during both wet season (July 1 through October 31) and dry season (November 1 through June 30). Wet Weather Monitoring shall be conducted at outfalls, internal sampling stations, and/or in-stream monitoring locations at each water of the US that runs in each entity or entities' jurisdiction(s). Permittees may choose either Option A or Option B below:

a. Option A: Individual monitoring

(i) Class A: Perform wet weather monitoring at a location coming into the MS4 jurisdictional area (upstream) and leaving the MS4 jurisdictional area (downstream), see Appendix D. Monitor for TSS, TDS, COD, BODs, DO, oil and grease, E. coli, pH, total kjeldahl nitrogen, nitrate plus nitrite, dissolved phosphorus, total ammonia plus organic nitrogen, total phosphorus, PCBs and gross alpha. Monitoring of temperature shall be also conducted at outfalls and/or Rio Grande monitoring locations. Phase I permittees must include additional parameters from monitoring conducted under permit NMS000101 (from last 10 years) whose mean values are at or above a WQS. Permittee must sample these pollutants a minimum of 10 events during the permit term with at least 5 events in wet season and 4 events in dry season.

(ii) Class B, C, and D: Perform wet weather monitoring at a location coming into the MS4 jurisdictional area (upstream) and leaving the MS4 jurisdictional area (downstream), see Appendix D. Monitor for TSS, TDS, COD, BODs, DO, oil and grease, E. coli, pH, total kjeldahl nitrogen, nitrate plus nitrite, dissolved phosphorus, total ammonia plus organic nitrogen, total phosphorus, PCBs and gross alpha. Monitoring of temperature shall be also
conducted at outfalls and/or Rio Grande monitoring locations. If applicable, include additional parameters from monitoring conducted under permits NMR040000 or/and NMR040001 whose mean values are at or above a WQS; sample these pollutants a minimum of 8 events per location during the permit term with at least 4 events in wet season and 2 events in dry season.

b. Option B: Cooperative Monitoring Program

Develop a cooperative wet weather monitoring program with other permittees in the Middle Rio Grande watershed (see map in Appendix A). The program will monitor waters coming into the watershed (upstream) and leaving the watershed (downstream), see suggested sampling locations in Appendix D. The program must include sampling for TSS, TDS, COD, BOD5, DO, oil and grease, E.coli, pH, total kjeldahl nitrogen, nitrate plus nitrite, dissolved phosphorus, total ammonia plus organic nitrogen, total phosphorus, PCBs and Gross alpha. Monitoring of temperature shall be also conducted at outfalls and/or Rio Grande monitoring locations. Permittees must include additional parameters from monitoring conducted under permits NMS00101, NMR040000 or/and NMR040001 whose mean values are at or above a WQS. The monitoring program must sample the pollutants for a minimum of 7 storm events per location during the permit term with at least 3 events wet season and 2 events in dry season.

Note: Seasonal monitoring periods are: Wet Season: July 1 through October 31; Dry Season: November 1 through June 30.

c. Wet weather monitoring shall be performed only when the predicted (or actual) rainfall magnitude of a storm event is greater than 0.25 inches and an antecedent dry period of at least forty-eight (48) hours after a rain event greater than 0.1 inch in magnitude is satisfied. Monitoring methodology will consist of collecting a minimum of four (4) grab samples spaced at a minimum interval of fifteen (15) minutes each (or a flow weighted automatic composite, see Part III.A.5.a.(i)). Individual grab samples shall be preserved and delivered to the laboratory where samples will be combined into a single composite sample from each monitoring location.

d. Monitoring methodology at each MS4 monitoring location shall be collected during any portion of the monitoring location’s discharge hydrograph (i.e. first flush, rising limb, peak, and falling limb) after a discernible increase in flow at the tributary inlet.

e. The permittee must comply with the schedules contained in Table 10. The results of the Wet Weather Monitoring must be provided in each annual report.

f. DO, pH, conductivity, and temperature shall be analyzed in the field within fifteen (15) minutes of sample collection.

g. Alternate wet weather monitoring locations established in Part III.A.1.a or Part III.A.1.b may be substituted for just cause during the term of the permit. Requests for approval of alternate monitoring locations shall be made to the EPA and NMED in writing and include the rationale for the requested monitoring station relocation. Unless disapproved by the EPA, use of an alternate monitoring location (except for those with numeric effluent limitations) may commence thirty (30) days from the date of the request. For monitoring locations where numeric effluent limitations have been established, the permit must be modified prior to substitution of alternate monitoring locations. At least six (6) samples shall be collected during the first year of monitoring at substitute monitoring locations. If there are less than six sampleable events, this should be documented for reporting purposes.
Response to monitoring results: The monitoring program must include a contingency plan for collecting additional monitoring data within the MS4 or at additional appropriate instream locations should monitoring results indicate that MS4 discharges may be contributing to instream exceedances of WQS. The purpose of this additional monitoring effort would be to identify sources of elevated pollutant loadings so they could be addressed by the SWMP.

Table 10. Wet Weather Monitoring Program Implementation Schedules:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Permittee Class</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A Phase I MS4s</td>
</tr>
<tr>
<td></td>
<td>NOI submittal</td>
</tr>
<tr>
<td></td>
<td>Deadline (see</td>
</tr>
<tr>
<td></td>
<td>Table 1)</td>
</tr>
<tr>
<td>Submit a detailed description of the monitoring scheme to EPA and NMED</td>
<td>Ten (10) months</td>
</tr>
<tr>
<td>for approval. The monitoring scheme should include: a list of pollutants;</td>
<td>from effective</td>
</tr>
<tr>
<td>a description of monitoring sites with an explanation of why those sites</td>
<td>date of permit</td>
</tr>
<tr>
<td>were selected; and a detailed map of all proposed monitoring sites</td>
<td></td>
</tr>
<tr>
<td>Submit certification that all wet weather monitoring sites are</td>
<td>Anually</td>
</tr>
<tr>
<td>operational and begin sampling</td>
<td></td>
</tr>
<tr>
<td>Update SWMP document and submit annual reports</td>
<td>Anually</td>
</tr>
</tbody>
</table>

(***) or MS4s designated by the Director

Note: The deadlines established in this table may be extended by the Director for any MS4 designated as needing a permit after issuance of this permit to accommodate expected date of permit coverage.

2. **Dry Weather Discharge Screening of MS4**: Each permittee shall identify, investigate, and address areas within its jurisdiction that may be contributing excessive levels of pollutants to the Municipal Separate Storm Sewer System as a result of dry weather discharges (i.e., discharges from separate storm sewers that occur without the direct influence of runoff from storm events, e.g., illicit discharges, allowable non-stormwater, groundwater infiltration, etc.). Due to the arid and semi-arid conditions of the area, the dry weather discharges screening program may be carried out during both wet season (July 1 through October 31) and dry Season (November 1 through June 30). Results of the assessment
shall be provided in each annual report. This program may be coordinated with the illicit discharge detection and elimination program required in Part I.D.5.e. The dry weather screening program shall be described in the SWMP and comply with the schedules contained in Part I.D.5.e.(iii). The permittee shall

a. Include sufficient screening points to adequately assess pollutant levels from all areas of the MS4.

b. Screen for, at a minimum, BOD₅, sediment or a parameter addressing sediment (e.g., TSS or turbidity), E. coli, Oil and Grease, nutrients, any pollutant that has been identified as cause of impairment of a waterbody receiving discharges from that portion of the MS4, including temperature.

c. Specify the sampling and non-sampling techniques to be issued for initial screening and follow-up purposes. Sample collection and analysis need not conform to the requirements of 40 CFR Part 136; and

d. Perform monitoring only when an antecedent dry period of at least seventy-two (72) hours after a rain event greater than 0.1 inch in magnitude is satisfied. Monitoring methodology shall consist of collecting a minimum of four (4) grab samples spaced at a minimum interval of fifteen (15) minutes each. Grab samples will be combined into a single composite sample from each station, preserved, and delivered to the laboratory for analysis. A flow weighted automatic composite sample may also be used.

3. **Floatable Monitoring:** The permittees shall establish locations for monitoring/assessing floatable material in discharges to and/or from their MS4. Floatable material shall be monitored at least twice per year at priority locations and at minimum of two (2) stations except as provided in Part III.A.3. below. The amount of collected material shall be estimated in cubic yards.

a. One (1) station should be located in the North Diversion (only applicable to the COA and AMAFCA).

b. Non-traditional MS4 as defined in Part VII shall sample/assess at one (1) station.

c. Phase II MS4s shall sample/assess at one (1) station within their jurisdiction or participate in a cooperative floatable monitoring plan addressing impacts on perennial waters of the US on a larger watershed basis.

A cooperative monitoring program may be established in partnership with other MS4s to monitor and assess floatable material in discharges to and/or from a joint jurisdictional area or watershed basis.

4. **Industrial and High Risk Runoff Monitoring** (Applicable only to Class A permittees): The permittees shall monitor stormwater discharges from Type I and 2 industrial facilities which discharge to the MS4 provided such facilities are located in their jurisdiction. (Note: if no such facilities are in the permittee’s jurisdiction, the permittee must certify that this program element does not apply). Thepermittee shall:

a. Conduct analytical monitoring of Type I facilities that discharge to the MS4. Type I facilities are municipal landfills; hazardous waste treatment, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and industrial facilities the permittee(s) determines are contributing a substantial pollutant loading to the MS4.

   (i) The following parameters shall be monitored:
   - any pollutants limited in an existing NPDES permit to a subject facility;
- oil and grease;
- chemical oxygen demand (COD);
- pH;
- biochemical oxygen demand, five-day (BOD5);
- total suspended solids (TSS);
- total phosphorous;
- total Kjeldahl nitrogen (TKN);
- nitrate plus nitrite nitrogen;
- any discharge information required under 40 CFR §122.21(g)(7)(iii) and (iv);
- total cadmium;
- total chromium;
- total copper;
- total lead;
- total nickel;
- total silver;
- total zinc; and,
- PCBs.

(ii) Frequency of monitoring shall be established by the permittee(s), but may not be less than once per year;

(iii) In lieu of the above parameter list, the permittee(s) may alter the monitoring requirement for any individual Type 1 facility:

(a) To coincide with the corresponding industrial sector-specific monitoring requirements of the 2008 Multi-Sector General Stormwater Permit or any applicable general permit issued after September 2008. This exception is not contingent on whether a particular facility is actually covered by the general permit; or

(b) To coincide with the monitoring requirements of any individual permit for the stormwater discharges from that facility, and

(c) Any optional monitoring list must be supplemented by pollutants of concern identified by the permittee(s) for that facility.

b. Conduct appropriate monitoring (e.g. analytic, visual), as determined by the permittee(s), at Type 2 facilities that discharge to the MS4. Type 2 facilities are other municipal waste treatment, storage, or disposal facilities (e.g. POTWs, transfer stations, incinerators) and industrial or commercial facilities the permittee(s) believed contributing pollutants to the MS4. The permittee shall include in each annual report, a list of parameters of concern and monitoring frequencies required for each type of facility.

c. May use analytical monitoring data, on a parameter-by-parameter basis, that a facility has collected to comply with or apply for a State or NPDES discharge permit (other than this permit), so as to avoid unnecessary cost and duplication of effort;

d. May allow the facility to test only one (1) outfall and to report that the quantitative data also apply to the substantially identical outfalls if:

(i) A Type 1 or Type 2 industrial facility has two (2) or more outfalls with substantially identical effluents, and
(ii) Demonstration by the facility that the stormwater outfalls are substantially identical, using one (1) or all of the following methods for such demonstration. The NPDES Stormwater Sampling Guidance Document (EPA 833-B-92-001), available on EPA’s website at provides detailed guidance on each of the three options: (1) submission of a narrative description and a site map; (2) submission of matrices; or (3) submission of model matrices.

b. May accept a copy of a “no exposure” certification from a facility made to EPA under 40 CFR §122.26(h), in lieu of analytic monitoring.

5. Additional Sample Type, Collection and Analysis:

a. Wet Weather (or Storm Event) Discharge Monitoring: If storm event discharges are collected to meet the objectives of the Comprehensive Monitoring and Assessment Program required in Part III.A (e.g., assess compliance with this permit; assess the effectiveness of the permittee’s stormwater management program; assess the impacts to receiving waters resulting from stormwater discharges), the following requirements apply:

(i) Composite Samples: Flow-weighted composite samples shall be collected as follows:

(a) Composite Method – Flow-weighted composite samples may be collected manually or automatically. For both methods, equal volume aliquots may be collected at the time of sampling and then flow-proportioned and composited in the laboratory, or the aliquot volume may be collected based on the flow rate at the time of sample collection and composited in the field.

(b) Sampling Duration – Samples shall be collected for at least the first three (3) hours of discharge. Where the discharge lasts less than three (3) hours, the permittee should report the value.

(c) Aliquot Collection – A minimum of three (3) aliquots per hour, separated by at least fifteen (15) minutes, shall be collected. Where more than three (3) aliquots per hour are collected, comparable intervals between aliquots shall be maintained (e.g., six aliquots per hour, at least seven (7) minute intervals).

(ii) Grab Samples: Grab samples shall be taken during the first two (2) hours of discharge.

b. Analytical Methods: Analysis and collection of samples shall be done in accordance with the methods specified at 40 CFR §136. Where an approved 40 CFR §136 method does not exist, any available method may be used unless a particular method or criteria for method selection (such as sensitivity) has been specified in the permit. The minimum quantification levels (MQLs) in Appendix F are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

Screening level tests may utilize less expensive “field test kits” using test methods not approved by EPA under 40 CFR 136, provided the manufacturers published detection ranges are adequate for the illicit discharge detection purposes.

EPA Method 1668 shall be utilized when PCB water column monitoring is conducted to determine compliance with permit requirements. For purposes of sediment sampling in dry weather as part of a screening program to identify area(s) where PCB control/clean-up efforts may need to be focused, either the Arochlor test (EPA Method 8082) or USGS test method (8053) may be utilized, but must use EPA Method 1668 (latest revision) for confirmation and determination of specific PCB levels at that location.
EPA Method 900.0 shall be utilized when gross alpha water column monitoring is conducted to
determine compliance with permit requirements.

B. ANNUAL REPORT

The permittees shall submit an annual report to be submitted no later than December 1st. See suggested form
at http://epa.gov/region6/water/npdes/sw/med/index.htm. The report shall cover the previous year from July 1st
to June 30th and include the below separate sections. Additionally, the year one (1) and year four (4) annual
report shall include submittal of a complete SWMP revision.

At least forty five (45) days prior to submission of each Annual Report, the permittee must provide public
notice of and make available for public review and comment a draft copy of the Annual Report. All public input
must be considered in preparation of the final Annual Reports and any changes to the SWMP.

Note: A complete copy of the signed Annual Report should be maintained on site.

1. **SWMP(s) status of implementation:** shall include the status of compliance with all schedules established
   under this permit and the status of actions required in Parts I, III, and VI.

2. **SWMP revisions:** shall include revisions, if necessary, to the assessments of controls or BMPs reported in
   the permit application (or NOI for coverage under this permit) under 40 CFR §122.26(d)(2)(v) and
   §122.34(d)(1)(i) are to be included, as well as a cumulative list of all SWMP revisions during the permit
   term.

   Class A permittees shall include revisions, if necessary, to the fiscal analysis reported in the permit
   application (or NOI for coverage under this permit) under §122.26(d)(2)(vi).

3. **Performance assessment:** shall include:
   a. an assessment of performance in terms of measurable goals, including, but not limited to, a description
      of the number and nature of enforcement actions and inspections, public education and public
      involvement efforts;
   b. a summary of the data, including monitoring data, that is accumulated throughout the monitoring year
      (July 1 to June 30); actual values of representative monitoring results shall be included, if results are
      above minimum quantification level (MQL); and
   c. an identification of water quality improvements or degradation.

4. **Annual expenditures:** for the reporting period, with a breakdown for the major elements of the stormwater
   management program and the budget for the year following each annual report. (Applicable only to Class
   A permittees)

5. **Annual Report Responsibilities for Cooperative Programs:** preparation of a system-wide report with
   cooperative programs may be coordinated among cooperating MS4s and then used as part of individual
   Annual Reports. The report of a cooperative program element shall indicate which, if any, permittee(s)
   have failed to provide the required information on the portions of the MS4 for which they are responsible to
   the cooperation permittees.

   a. Joint responsibility for reports covering cooperative programs elements shall be limited to
      participation in preparation of the overview for the entire system and inclusion of the identity of any
      permittee who failed to provide input to the annual report.
b. Individual permittees shall be individually responsible for content of the report relating to the portions of the MS4 for which they are responsible and for failure to provide information for the system-wide annual report no later than July 31st of each year.

6. **Public Review and Comment**: A brief summary of any issues raised by the public on the draft Annual Report, along with permittee’s responses to the public comments.

7. **Signature on Certification of Annual Reports**: The annual report shall be signed and certified, in accordance with Part IV.H and include a statement or resolution that the permittee’s governing body or agency (or delegated representative) has reviewed or been apprised of the content of the Annual Report. Annual report shall be due no later than December 1st of each year. A complete copy of the signed Annual Report should be maintained on site.

**C. CERTIFICATION AND SIGNATURE OF RECORDS.**

All reports required by the permit and other information requested by the EPA shall be signed and certified in accordance with Part IV.H.

**D. REPORTING: WHERE AND WHEN TO SUBMIT**

1. Monitoring results (Part III.A.1, Part III.A.3, Part III.A.5.a) obtained during the reporting period running from July 1st to June 30th shall be submitted on discharge monitoring report (DMR) forms along with the annual report required by Part III.B. A separate DMR form is required for each monitoring period (season) specified in Part III.A.1. If any individual analytical test result is less than the minimum quantification level (MQL) listed for that parameter, then a value of zero (0) may be used for that test result for the discharge monitoring report (DMR) calculations and reporting requirements. The annual report shall include the actual value obtained, if test result is less than the MQL (See Appendix F).

2. Signed copies of DMRs required under Part III, the Annual Report required by Part III.B, and all other reports required herein, shall be submitted in electronic form to R6_MS4Permits@epa.gov (note: there is an underscore between R6 and MS4).


Electronic submittal of the documents required in the permit using a compatible Integrated Compliance Information System (ICIS) format would be allowed if available.

3. Requests for SWMP updates, modifications in monitoring locations, or application for an individual permit shall be submitted to:

   U.S. EPA, Region 6
   Water Quality Protection Division
   Operations Support Office (6WQ-O)
   1445 Ross Avenue
   Dallas, Texas 75202-2733

4. **Additional Notification**: Permittee(s) shall also provide copies of NOIs, DMRs, annual reports, NOTs, requests for SWMP updates, items for compliance with permit requirements for Compliance with Water Quality Standards in Part I.C.1, TMDL’s reports established in Part I.C.2, monitoring scheme, reports, and certifications required in Part III.A.1, programs or changes in monitoring locations, and all other reports required herein, to:
New Mexico Environment Department  
Attn: Bruce Yurdin, Program Manager  
Surface Water Quality Bureau  
Point Source Regulation Section  
P.O. Box 5469  
Santa Fe, New Mexico 87502

Pueblo of Sandia Environment Department  
Attn: Scott Bulgrin, Water Quality Manager  
481 Sandia Loop  
Bernalillo, NM 87004  
(Note: Only those MS4s with discharges upstream or to waters under the jurisdictional of the Pueblo of Sandia: AMAFCA, Sandoval County, Village of Corrales, City of Rio Rancho, Town of Bernalillo, SSCAFCA, and ESCAFCA)

Pueblo of Isleta  
Attn: Ramona M. Montoya, Environment Division Manager  
P.O. Box 1270  
Isleta NM 87022  
(Note: Only the City of Albuquerque, Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA), New Mexico Department of Transportation (NMDOT) District 3, KAFB (Kirtland Air Force Base), Sandia Labs (DOE), and Bernalillo County. All parties submitting an NOI or NOT shall notify the Pueblo of Isleta in writing that a NOI or NOT has been submitted to EPA)

Water Resources Division Manager  
Pueblo of Santa Ana  
2 Dove Road  
Santa Ana Pueblo, New Mexico 87004  
(Note: Only those MS4s with discharges upstream or to waters under the jurisdictional of the Pueblo of Santa Ana)
PART IV. STANDARD PERMIT CONDITIONS

A. DUTY TO COMPLY.

The permittee(s) must comply with all conditions of this permit insofar as those conditions are applicable to each permittee, either individually or jointly. Any permit noncompliance constitutes a violation of the Clean Water Act (the Act) and is grounds for enforcement action; for permit termination, revocation and reissuance, or for denial of a permit renewal application.

B. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS.

The EPA will adjust the Civil and administrative penalties listed below in accordance with the Civil Monetary Penalty Inflation Adjustment Rule (Federal Register: Dec. 31, 1996, Volume 61, No. 252, pages 69359-69366, as corrected, March 20, 1997, Volume 62, No. 54, pages 13514-13517) as mandated by the Debt Collection Improvement Act of 1996 for inflation on a periodic basis. This rule allows EPA’s penalties to keep pace with inflation. The Agency is required to review its penalties at least once every four years thereafter and to adjust them as necessary for inflation according to a specified formula. The civil and administrative penalties listed below were adjusted for inflation starting in 1996.

1. Criminal Penalties.
   a. Negligent Violations: The Act provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one (1) year, or both.
   b. Knowing Violations: The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than three (3) years, or both.
   c. Knowing Endangerment: The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than $250,000, or by imprisonment for not more than fifteen (15) years, or both.
   d. False Statement: The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than two (2) years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both. (See Section 309(c)(4) of the Act).

2. Civil Penalties. The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed $27,500 per day for each violation.

3. Administrative Penalties. The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:
   a. Class 1 penalty: Not to exceed $11,000 per violation nor shall the maximum amount exceed $27,500.
b. Class II penalty: Not to exceed $11,000 per day for each day during which the violation continues nor shall the maximum amount exceed $137,500.

C. DUTY TO REAPPLY. If the permittee wishes to continue an activity regulated by this permit after the permit expiration date, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days prior to expiration of this permit. The EPA may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR §122.6 and any subsequent amendments.

D. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

E. DUTY TO MITIGATE. The permittee(s) shall take all reasonable steps to control or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. DUTY TO PROVIDE INFORMATION. The permittee(s) shall furnish to the EPA, within a time specified by the EPA, any information which the EPA may request to determine compliance with this permit. The permittee(s) shall also furnish to the EPA upon request copies of records required to be kept by this permit.

G. OTHER INFORMATION. When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in any report to the EPA, he or she shall promptly submit such facts or information.

H. SIGNATORY REQUIREMENTS. For a municipality, State, or other public agency, all DMRs, SWMPs, reports, certifications or information either submitted to the EPA or that this permit requires be maintained by the permittee(s), shall be signed by either a:

1. Principal executive officer or ranking elected official; or

2. Duly authorized representative of that person. A person is a duly authorized representative only if:
   a. The authorization is made in writing by a person described above and submitted to the EPA.
   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

3. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new written authorization satisfying the requirements of this paragraph must be submitted to the EPA prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification: Any person signing documents under this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
I. PENALTIES FOR FALSIFICATION OF MONITORING SYSTEMS. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 309 of the Act.

J. OIL AND HAZARDOUS SUBSTANCE LIABILITY. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the Act or section 106 of CERCLA.

K. PROPERTY RIGHTS. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

L. SEVERABILITY. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

M. REQUIRING A SEPARATE PERMIT.

1. The EPA may require any permittee authorized by this permit to obtain a separate NPDES permit. Any interested person may petition the EPA to take action under this paragraph. The Director may require any permittee authorized to discharge under this permit to apply for a separate NPDES permit only if the permittee has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form (as necessary), a statement setting a deadline for the permittee to file the application, and a statement that on the effective date of the separate NPDES permit, coverage under this permit shall automatically terminate. Separate permit applications shall be submitted to the address shown in Part IIID. The EPA may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit, prior to the deadline of the time extension, a separate NPDES permit application as required by the EPA, then the applicability of this permit to the permittee is automatically terminated at the end of the day specified for application submittal.

2. Any permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for a separate permit. The permittee shall submit a separate application as specified by 40 CFR §122.26(d) for Class A permittees and by 40 CFR §122.33(b)(2) for Class B, C, and D permittees, with reasons supporting the request to the Director. Separate permit applications shall be submitted to the address shown in Part IIID.3. The request may be granted by the issuance of a separate permit if the reasons cited by the permittee are adequate to support the request.

3. When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the permittee is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an operator otherwise subject to this permit, or the operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the permitting authority.

N. STATE / ENVIRONMENTAL LAWS.

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by section 510 of the Act.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

O. PROPER OPERATION AND MAINTENANCE. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of stormwater management programs. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

P. MONITORING AND RECORDS.

1. The permittee must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of Discharge Monitoring Reports (DMRs), a copy of the NPDES permit, and records of all data used to complete the NOI for this permit, for a period of at least three years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended by request of the permitting authority at any time.

2. The permittee must submit its records to the permitting authority only when specifically asked to do so. The permittee must retain a description of the SWMP required by this permit (including a copy of the permit language) at a location accessible to the permitting authority. The permittee must make its records, including the NOI and the description of the SWMP, available to the public if requested to do so in writing.

3. Records of monitoring information shall include:
   a. The date, exact place, and time of sampling or measurements;
   b. The initials or name(s) of the individual(s) who performed the sampling or measurements;
   c. The date(s) analyses were performed;
   d. The time(s) analyses were initiated;
   e. The initials or name(s) of the individual(s) who performed the analyses;
   f. References and written procedures, when available, for the analytical techniques or methods used; and
   g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

4. The permittee must maintain, for the term of the permit, copies of all information and determinations used to document permit eligibility under Parts I.A.5.f and Part I.A.3.b.

Q. MONITORING METHODS. Monitoring must be conducted according to test procedures approved under 40 CFR §136, unless other test procedures have been specified in this permit. The minimum quantification levels (MQLs) in Appendix F are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

R. INSPECTION AND ENTRY. The permittee shall allow the EPA or an authorized representative of EPA, or the State, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Act, any substance or parameters at any location.

S. PERMIT ACTIONS. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

T. ADDITIONAL MONITORING BY THE PERMITTEE(S). If the permittee monitors more frequently than required by this permit, using test procedures approved under 40 CFR §136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased monitoring frequency shall also be indicated on the DMR.

U. ARCHEOLOGICAL AND HISTORIC SITES (Applicable to areas within the corporate boundary of the City of Albuquerque and Tribal lands). This permit does not authorize any stormwater discharges nor require any controls to control stormwater runoff which are not in compliance with any historic preservation laws.

1. In accordance with the Albuquerque Archaeological Ordinance (Section 2-12-2, 14-16-5, and 14-14-3-4), an applicant for either:

   a. A preliminary plan for any subdivision that is five acres or more in size; or

   b. A site development plan or master development plan for a project that is five acres or more in size on property that is zoned SU-1 Special Use, IP Industrial Park, an SU-2 zone that requires site plan review, PC Planned Community with a site, or meets the Zoning Code definition of a Shopping Center must first obtain either a Certificate of No Effect or a Certificate of Approval from the City Archaeologist. Details of the requirements for a Certificate of No Effect or a Certificate of Approval are described in the ordinance. Failure to obtain a certificate as required by ordinance shall subject the property owner to the penalties of §1-1-99 ROA 1994.

2. If municipal excavation and/or construction projects implementing requirements of this permit will result in the disturbance of previously undisturbed land, and the project is not required to have a separate NPDES permit (e.g. general permit for discharge of stormwater associated with construction activity), then the permittee may seek authorization for stormwater discharges from such sites of disturbance by:

   a. Submitting, thirty (30) days prior to commencing land disturbance, the following to the State Historic Preservation Officer (SHPO) and to appropriate Tribes and Tribal Historic Preservation Officers for evaluation of possible effects on properties listed or eligible for listing on the National Register of Historic Places:

      (i) A description of the construction or land disturbing activity and the potential impact that this activity may have upon the ground, and

      (ii) A copy of a USGS topographic map outlining the location of the project and other ancillary impact areas.

      (iii) The addresses of the SHPO, Sandia Puebjo, and Isleta Pueblo are:

              State Historic Preservation Officer
              New Mexico Historic Preservation Division
3. If the permittee receives a request for an archeological survey or notice of adverse effects from the SHPO, the permittee shall delay such activity until:
   a. A cultural resource survey report has been submitted to the SHPO for a review and a determination of no effect or no adverse effect has been made, and
   b. If an adverse effect is anticipated, measures to minimize harm to historic properties have been agreed upon between the permittee and the SHPO.

4. If the permittee does not receive notification of adverse effects or a request for an archeological survey from the SHPO within thirty (30) days, the permittee may proceed with the activity.

5. Alternately, the permittee may obtain authorization for stormwater discharges from such sites of disturbance by applying for a modification of this permit. The permittee may apply for a permit modification by submitting the following information to the Permitting Authority 180 days prior to commencing such discharges:
   a. A letter requesting a permit modification to include discharges from activities subject to this provision, in accordance with the signatory requirements in Part IV.H.
   b. A description of the construction or land disturbing activity and the potential impact that this activity may have upon the ground; County in which the facility will be constructed; type of facility to be constructed; size area (in acres) that the facility will encompass; expected date of construction; and whether the facility is located on land owned or controlled by any political subdivision of New Mexico; and
   c. A copy of a USGS topographic map outlining the location of the project and other ancillary impact areas.

V. CONTINUATION OF THE EXPIRED GENERAL PERMIT. If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:
1. Reissuance or replacement of this permit, at which time the permittee must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or

2. Issuance of an individual permit for your discharges; or

3. A formal permit decision by the permitting authority not to reissue this general permit, at which time the permittee must seek coverage under an alternative general permit or an individual permit.

W. PERMIT TRANSFERS: This permit is not transferable to any person except after notice to the permitting authority. The permitting authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

X. ANTICIPATED NONCOMPLIANCE. The permittee must give advance notice to the permitting authority of any planned changes in the permitted small MS4 or activity which may result in noncompliance with this permit. (see

Y. PROCEDURES FOR MODIFICATION OR REVOCATION: Permit modification or revocation will be conducted according to 40 CFR 122.62, 122.63, 122.64 and 124.5.
PART V. PERMIT MODIFICATION

A. MODIFICATION OF THE PERMIT. The permit may be reopened and modified, in accordance with 40 CFR §122.62, §122.63, and §124.5, during the life of the permit to address:

1. Changes in the State's Water Quality Management Plan, including Water Quality Standards;
2. Changes in applicable water quality standards, statutes or regulations;
3. A new permittee who is the owner or operator of a portion of the MS4;
4. Changes in portions of the SWMP that are considered permit conditions;
5. Construction activities implementing requirements of this permit that will result in the disturbance of previously undisturbed land and not required to have a separate NPDES permit; or
6. Other modifications deemed necessary by the EPA to meet the requirements of the Act.

B. MODIFICATION OF THE SWMPs. Only those portions of the SWMPs specifically required as permit conditions shall be subject to the modification requirements of 40 CFR §124.5. Addition of components, controls, or requirements by the permittee(s); replacement of an ineffective or infeasible control implementing a required component of the SWMP with an alternate control expected to achieve the goals of the original control; and changes required as a result of schedules contained in Part VI shall be considered minor changes to the SWMP and not modifications to the permit. (See also Part I.D.6)

C. CHANGES IN REPRESENTATIVE MONITORING SITES. Changes in monitoring sites, other than those with specific numeric effluent limitations (as described in Part III.A.1.g), shall be considered minor modifications to the permit and shall be made in accordance with the procedures at 40 CFR §122.63.
PART VI. SCHEDULES FOR IMPLEMENTATION AND COMPLIANCE.

A. IMPLEMENTATION AND AUGMENTATION OF THE SWMP(s). The permittee(s) shall comply with all elements identified in Parts I and III for SWMP implementation and augmentation, and permit compliance. The EPA shall have sixty (60) days from receipt of a modification or augmentation made in compliance with Part VI to provide comments or request revisions. During the initial review period, EPA may extend the time period for review and comment. The permittee(s) shall have thirty (30) days from receipt of the EPA's comments or required revisions to submit a response. All changes to the SWMP or monitoring plans made to comply with schedules in Parts I and III must be approved by EPA prior to implementation.

B. COMPLIANCE WITH EFFLUENT LIMITATIONS. Reserved.

C. REPORTING COMPLIANCE WITH SCHEDULES. No later than fourteen (14) days following a date for a specific action (interim milestone or final deadline) identified in the Part VI schedule(s), the permittee(s) shall submit a written notice of compliance or noncompliance to the EPA in accordance with Part III.D.

D. MODIFICATION OF THE SWMP(s). The permittee(s) shall modify its SWMP, as appropriate, in response to modifications required in Part VI.A. Such modifications shall be made in accordance with Part V.B.
PART VII. DEFINITIONS

All definitions contained in Section 502 of the Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified, additional definitions of words or phrases used in this permit are as follows:

1) **Baseline Load** means the load for the pollutant of concern which is present in the waterbody before BMPs or other water quality improvement efforts are implemented.

2) **Best Management Practices (BMPs)** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

3) **Bioretention** means the water quality and water quantity stormwater management practice using the chemical, biological and physical properties of plants, microbes and soils for the removal of pollution from stormwater runoff.

4) **Canopy Interception** means the interception of precipitation, by leaves and branches of trees and vegetation that does not reach the soil.

5) **Contaminated Discharges**: The following discharges are considered contaminated:

   - Has had a discharge resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 117.21 or 40 CFR 302.6 at any time since November 16, 1987; or
   - Has had a discharge resulting in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110.6 at any time since November 16, 1987; or
   - Contributes to a violation of an applicable water quality standard.

6) **Controls or Control Measures or Measures** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or control the pollution of waters of the United States. Controls also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

7) **Controllable Sources**: Sources, private or public, which fall under the jurisdiction of the MS4.


9) **Co-permittee** means a permittee to a NPDES permit that is only responsible for permit conditions relating to the discharge for which it is operator.

10) **Composite Sample** means a sample composed of two or more discrete samples. The aggregate sample will reflect the average water quality covering the composing or sample period.

11) **Core Municipality** means, for the purpose of this permit, the municipality whose corporate boundary (unincorporated area for counties and parishes) defines the municipal separate storm sewer system. (ex. City of Dallas for the Dallas Municipal Separate Storm Sewer System, Harris County for unincorporated Harris County).

12) **Direct Connected Impervious Area (DCIA)** means the portion of impervious area with a direct hydraulic connection to the permittee’s municipal separate storm sewer system or a waterbody via continuous paved surfaces, gutters, pipes, and other impervious features. Direct connected impervious area typically does not include isolated impervious areas with an indirect hydraulic connection to the municipal separate storm sewer system (e.g., swale or detention basin) or that otherwise drain to a pervious area.

13) **Director** means the Regional Administrator or an authorized representative.

14) **Discharge** for the purpose of this permit, unless indicated otherwise, means discharges from the municipal separate storm sewer system.

15) **Discharge-related activities** include: activities which cause, contribute to, or result in storm water point source pollutant discharges; and measures to control storm water discharges, including the siting, construction and operation of Best management practices (BMPs) to control, reduce or prevent storm water pollution.

16) **Engineered Infiltration** means an underground device or system designed to accept stormwater and slowly exfiltrates it into the underlying soil. This device or system is designed based on soil tests that define the exfiltration rate.

17) **Evaporation** means rainfall that is changed or converted into a vapor.

18) **Evapotranspiration** means the sum of evaporation and transpiration of water from the earth’s surface to the atmosphere. It includes evaporation of liquid or solid water plus the transpiration of plants.

19) **Extended Filtration** means a structural stormwater practice which filters stormwater runoff through vegetation and engineered soil media. A portion of the stormwater runoff drains into an underdrain system which slowly releases it after the storm is over.
(20) **Facility** means any NPDES "point source" or any other facility (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

(21) **Flood Control Projects** mean major drainage projects developed to control water quantity rather than quality, including channelization and detention.

(22) **Flow-weighted composite sample** means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

(23) **Grab Sample** means a sample which is taken from a wastewater on a one-time basis without consideration of the flow rate of the wastewater and without consideration of time.

(24) **Green Infrastructure** means an array of products, technologies, and practices that use natural systems -- or engineered systems that mimic natural processes -- to enhance overall environmental quality and provide utility services. As a general principal, Green Infrastructure techniques use soils and vegetation to infiltrate, evapotranspirate, and/or recycle stormwater runoff. When used as components of a stormwater management system, Green Infrastructure practices such as green roofs, porous pavement, rain gardens, and vegetated swales can produce a variety of environmental benefits. In addition to effectively retaining and infiltrating rainfall, these technologies can simultaneously help filter air pollutants, reduce energy demands, mitigate urban heat islands, and sequester carbon while also providing communities with aesthetic and natural resource benefits.

(25) **Hydromodification** means the alteration of the natural flow of water through a landscape, and often takes the form of channel straightening, widening, deepening, or relocating existing, natural stream channels. It also can involve excavation of borrow pits or canals, building of levees, streambank erosion, or other conditions or practices that change the depth, width or location of waterways. Hydromodification usually results in water quality and habitat impacts.

(26) **Illicit connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

(27) **Illicit discharge** means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

(28) **Impervious Area (IA)** means conventional pavements, sidewalks, driveways, roadways, parking lots, and rooftops.

(29) **Indian Country** means:
   a. All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;
   b. All dependent Indian communities within the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and
   c. All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

(30) **Individual Residence** means, for the purposes of this permit, single or multi-family residences. (e.g. single family homes and duplexes, town homes, apartments, etc.)

(31) **Infiltration** means the process by which stormwater penetrates the soil.

(32) **Land application unit** means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

(33) **Launderfill** means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

(34) **Land Use** means the way in which land is used, especially in farming and municipal planning.

(35) **Large or medium municipal separate storm sewer system** means all municipal separate storm sewers that are either:
(i) located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendix F of 40 CFR §122); or (ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers are located in the incorporated places, townships, or towns within such counties (these counties are listed in Appendices H and I of 40 CFR §122); or (iii) owned or operated by a municipality other than those described in Paragraph (i) or (ii) and that are designated by the Regional Administrator as part of the large or medium municipal separate storm sewer system.

(36) **MEP** means maximum extent practicable, the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges. A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34. CWA section 402(p)(3)(B)(iii) requires that a municipal permit "shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system design, and engineering methods, and other provisions such as the Administrator or the State determines appropriate for the control of such pollutants.

(37) **Measurable Goal** means a quantitative measure of progress in implementing a component of storm water management program.
(38) **Municipal Separate Storm Sewer (MS4)** means all separate storm sewers that are defined as “large” or “medium” or “small” municipal separate storm sewer systems pursuant to paragraphs 40 CFR §122.26(b)(4), (b)(7), and (b)(16), or designated under paragraph 40 CFR §122.26(a)(1)(v).

(39) **Non-traditional MS4** means systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings. 40 CFR 122.26(a)(16)(iii).

(40) **NOI** means Notice of Intent to be covered by this permit (see Part 1.B of this permit).

(41) **NOT** means Notice of Termination.

(42) **Outfall** means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

(43) **Percent load reduction** means the difference between the baseline load and the target load divided by the baseline load.

(44) **Owner or operator** means the owner or operator of any “facility or activity” subject to regulation under the NPDES program.

(45) **Permittee** refers to any person (defined below) authorized by this NPDES permit to discharge to Waters of the United States.

(46) **Permitting Authority** means EPA, Region 6.

(47) **Person** means an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof.

(48) **Point Source** means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

(49) **Pollutant** is defined at 40 CFR 122.2. Pollutant means dredged spoil, solid waste, incinerator residue, filter back-wash, sewage, garbage, sewage sludge. Munitions, chemical waste, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011), heat, wrecked or discarded equipment, rock sand, cellair dirt and industrial, municipal, and agricultural waste discharged into water.

(50) **Pre-development Hydrology**. Predevelopment hydrology is generally the rain volume at which runoff would be produced when a site or an area is in its natural condition, prior to development disturbances. For the Middle Rio Grande area, EPA considers predevelopment conditions to be a mix of woods and desert shrub.

(51) **Rainfall and Rainwater Harvesting** means the collection, conveyance, and storage of rainwater. The scope, method, technologies, system complexity, purpose, and end uses vary from rain barrels for garden irrigation in urban areas, to largescale collection of rainwater for all domestic uses.

(52) **Soil amendment** means adding components to in-situ or native soils to increase the spacing between soil particles so that the soil can absorb and hold more moisture. The amendment of soils changes various other physical, chemical and biological characteristics so that the soils become more effective in maintaining water quality.

(53) **Storm drainage projects** include stormwater inlets, culverts, minor conveyances and a host of other structures or devices.

(54) **Storm sewer**, unless otherwise indicated, means a municipal separate storm sewer.

(55) **Stormwater** means stormwater runoff, snow melt runoff, and surface runoff and drainage.

(56) **Stormwater Discharge Associated with Industrial Activity** means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant (See 40 CFR §122.26(b)(14) for specifics of this definition).

(57) **Target load** means the load for the pollutant of concern which is necessary to attain water quality goals (e.g. applicable water quality standards).

(58) **Stormwater Management Program (SWMP)** means a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system. For the purposes of this permit, the Stormwater Management Program is considered a single document, but may actually consist of separate programs (e.g. “chapters”) for each permittee.

(59) **Targeted controls** means practices implemented to address particular pollutant of concern. For example litter program targets combustibles.

(60) **Time-weighted composite** means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

(61) **Total Maximum Daily Load (TMDL)** means a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards. A TMDL is the sum of individual wastewater allocations for point sources (WLA), load allocations for non-point sources and natural background (LA), and must consider seasonal variation and include a margin of safety. The TMDL comes in the form of a technical document or plan.
(62) **Toxicity** means an LC50 of <100% effluent.

(63) **Waste load allocation (WLA)** means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute a type of water quality-based effluent limitation.

(64) **Wetlands** means those areas that are inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(65) **Whole Effluent Toxicity (WET)** means the aggregate toxic effect of an effluent measured directly by a toxicity test.
PART VIII PERMIT CONDITIONS APPLICABLE TO SPECIFIC AREAS OR INDIAN COUNTY LANDS

Reserved
Appendix A - Middle Rio Grande Watershed Jurisdictions and Potential Permittees
Middle Rio Grande Watershed Jurisdictions and Potential Permits

**Class A:**
- City of Albuquerque
- AMAFCA (Albuquerque Metropolitan Arroyo Flood Control Authority)
- UNM (University of New Mexico)
- NMDOT (New Mexico Department of Transportation District 3)

**Class B:**
- Bernalillo County
- Sandoval County
- Village of Corrales
- City of Rio Rancho
- Los Ranchos de Albuquerque
- KAFB (Kirtland Air Force Base)
- Town of Bernalillo
- EXPO (State Fairgrounds/Expo NM)
- SSCAFCA (Southern Sandoval County Arroyo Flood Control Authority)
- NMDOT (New Mexico Department of Transportation District 3)

**Class C:**
- ESCAFCA (Eastern Sandoval County Arroyo Flood Control Authority)
- Sandia Labs (DOE)

**Class D:**
- Pueblo of Sandia
- Pueblo of Isleta
- Pueblo of Santa Ana

Note: There could be additional potential permits.
NMDOT Dist. 3 falls into the Class A type permittee, if an individual program is developed or/and implemented. The timelines for cooperative programs should be used, if NMDOT Dist. 3 cooperates with other permittees.
Appendix B - Total Maximum Daily Loads (TMDLs)

B.1. Approved Total Maximum Daily Loads (TMDLs) Tables

A bacteria TMDL for the Middle Rio Grande was approved by the New Mexico Water Quality Control Commission on April 13, 2010, and by EPA on June 30, 2010. The new TMDL modifies: 1) the indicator parameter for bacteria from fecal coliform to E. coli, and 2) the way the WLAs are assigned.

Discharges to Impaired Waters – TMDL Waste Load Allocations (WLAs) for E. coli: Rio Grande

<table>
<thead>
<tr>
<th>Stream Segment</th>
<th>Stream Name</th>
<th>Permittee Class</th>
<th>FLOW CONDITIONS &amp; ASSOCIATED WLA (cfu/day)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>High</td>
</tr>
<tr>
<td>2105_50</td>
<td>Isleta Pueblo boundary to Alameda Street Bridge (based on flow at USGS Station NM08330000)</td>
<td>Class A</td>
<td>$3.36 \times 10^9$</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Class B</td>
<td>$3.73 \times 10^9$</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Class C</td>
<td></td>
</tr>
<tr>
<td>2105.00</td>
<td>non-Pueblo Alameda Bridge to Angostura Diversion (based on flow at USGS Station NM08329928)</td>
<td>Class A</td>
<td>$5.25 \times 10^9$</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Class B</td>
<td>$2.62 \times 10^{11}$</td>
</tr>
</tbody>
</table>

2. The WLAs for the stormwater MS4 permit was based on the percent jurisdiction area approach. Thus, the MS4 WLAs are a percentage of the available allocation for each hydrologic zone, where the available allocation = TMDL – WLA – MOS.
3. Flow conditions relate to percent of days the flow in the Rio Grande at a USGS Gauge exceeds a particular level: High 0-10%; Moist 10-40%; Mid-Range 40-60%; Dry 60-90%; and Low 90-100%. (Source: Figures 4.3 and 4.4 in 2010 Middle Rio Grande TMDL)
4. Phase I MS4s
5. Phase II MS4s (2000 Census)
6. New Phase II MS4s (2010 Census or MS4s designated by the Director)

Estimating Target Loadings for Particular Monitoring Location:

The Table in B.2 below provides a mechanism to calculate, based on acreage within a drainage area, a target loading value for a particular monitoring location.

B.2. Calculating Alternative Sub-measurable Goals

Individual permittees or a group of permittees seeking alternative sub-measurable goals under C.2.b.(i),(c),B should consult NMED. Preliminary proposals should be submitted with the Notice of Intent (NOI) under Part I.B.2.k according to the due dates specified in Part I.B.1.a of the permit. This proposal shall include, but is not limited to, the following items:

B.2.1 Determine base loading for subwatershed areas consistent with TMDL.

a. Using the table below, the permittee must develop a target load consistent with the TMDL for any sampling point in the watershed (even if it includes area outside the jurisdictional area of the permit).

E. coli loading on a per area basis (cfu/sq mi/day)
b. An estimation of the pertinent, subwatershed area that the permittee is responsible for and the basis for determining that area, including the means for excluding any tributary inholdings;

c. Using the total loading for the watershed (from part a) and the percentage of the watershed area that is part of the permittee(s) jurisdiction (part b) to calculate a base WLA for this subwatershed.

**B.2.2 Set Alternative subwatershed targets**

a. Permittee(s) may reallocate WLA within and between subwatershed based on factors including:

- Population density within the pertinent watershed area;
- Slope of the waterway;
- Percent impervious surface and how that value was determined;
- Stormwater treatment, installation of green infrastructure for the control or treatment of stormwater and stormwater pollution prevention and education programs within specific watersheds

b. A proposal for an alternative subwatershed target must include the rationale for the factor(s) used

**B.2.3 Ensure overall compliance with TMDL WLA allocation**

The permittee(s) will provide calculations demonstrating the total WLA under the alternative proposed in (Part II) is consistent with the baseline calculated in (Part I) based on their total jurisdictional area. Permittee(s) will not be allowed to allocate more area within the watershed than is accorded to them under their jurisdictional area. For permittees that work cooperatively, WLA calculations may be combined and used where needed within the subwatershed amongst the cooperating parties.

WLA calculations must be sent as part of the Notice of Intent to EPA via e-mail at R6_MS4Permits@epa.gov. These calculations must also be sent to:

Sarah Holcomb  
Industrial and Stormwater Team Leader  
NMED Surface Water Quality Bureau  
P.O. Box 5469,
Appendix C - Historic Properties Eligibility Procedures

MS4 operators must determine whether their MS4’s storm water discharges, allowable non-storm water discharges, or construction of best management practices (BMPs) to control such discharges, have potential to affect a property that is either listed or eligible for listing on the National Register of Historic Places.

For existing dischargers who do not need to construct BMPs for permit coverage, a simple visual inspection may be sufficient to determine whether historic properties are affected. However, for MS4s which are new storm water dischargers and for existing MS4s which are planning to construct BMPs for permit eligibility, MS4 operators should conduct further inquiry to determine whether historic properties may be affected by the storm water discharge or BMPs to control the discharge. In such instances, MS4 operators should first determine whether there are any historic properties or places listed on the National Register or if any are eligible for listing on the register (e.g., they are “eligible for listing”).

Due to the large number of entities seeking coverage under this permit and the limited number of personnel available to State and Tribal Historic Preservation Officers nationwide to respond to inquiries concerning the location of historic properties, EPA suggests that MS4 operators first access the “National Register of Historic Places” information listed on the National Park Service’s web page (http://www.nps.gov/nr/). Addresses for State Historic Preservation Officers and Tribal Historic Preservation Officers are listed in Parts II and III of this appendix, respectively. In instances where a Tribe does not have a Tribal Historic Preservation Officer, MS4 operators should contact the appropriate Tribal government office when responding to this permit eligibility condition. MS4 operators may also contact city, county or other local historical societies for assistance, especially when determining if a place or property is eligible for listing on the register. Tribes that do not currently reside in an area may also have an interest in cultural properties in areas they formerly occupied. Tribal contact information is available at http://www.epa.gov/region6/6drea/ceje/tribalaffairs/index.html

The following three scenarios describe how MS4 operators can meet the permit eligibility criteria for protection of historic properties under this permit:

(1) If historic properties are not identified in the path of an MS4’s storm water and allowable non-storm water discharges or where construction activities are planned to install BMPs to control such discharges (e.g., diversion channels or retention ponds), then the MS4 operator has met the permit eligibility criteria under Part I.A.3.b.(i).

(2) If historic properties are identified but it is determined that they will not be affected by the discharges or construction of BMPs to control the discharge, the MS4 operator has met the permit eligibility criteria under Part I.A.3.b.(ii).

(3) If historic properties are identified in the path of an MS4’s storm water and allowable non-storm water discharges or where construction activities are planned to install BMPs to control such discharges, and it is determined that there is the potential to adversely affect the property, the MS4 operator can still meet the permit eligibility criteria under Part I.A.3.b.(ii) if he/she obtains and complies with a written agreement with the appropriate State or Tribal Historic Preservation Officer which outlines measures the MS4 operator will follow to mitigate or prevent those adverse effects. The operator should notify EPA before exercising this option.

The contents of such a written agreement must be included in the MS4’s Storm Water Management Program.

In situations where an agreement cannot be reached between an MS4 operator and the State or Tribal Historic Preservation Officer, MS4 operators should contact EPA for assistance.

The term “adverse effects” includes but is not limited to damage, deterioration, alteration or destruction of the historic property or place. EPA encourages MS4 operators to contact the appropriate State or Tribal Historic Preservation Officer as soon as possible in the event of a potential adverse effect to a historic property.

MS4 operators are reminded that they must comply with applicable State, Tribal and local laws concerning the protection of historic properties and places.

1. Internet Information on the National Register of Historic Places
   An electronic listing of the “National Register of Historic Places,” as maintained by the National Park Service on its National Register Information System (NRIS), can be accessed on the Internet at www.nps.gov/nr/.
NPDES Permit No. NMR64A000

II. State Historic Preservation Officers (SHPO)
SHPO List for areas covered by the permit:

NEW MEXICO
Historic Preservation Div, Office of Cultural Affairs
Bataan Memorial Building, 407 Galisteo Street, Suite 236
Santa Fe, NM 87501
505-827-6320 FAX: 505-827-6338

III. Tribal Historic Preservation Officers (THPO)
In instances where a Tribe does not have a Tribal Historic Preservation Officer, please contact the appropriate Tribal government office when responding to this permit eligibility condition.

Tribal Historic Preservation Officers:
Mescalero Apache Tribe
P.O. Box 227
Mescalero, New Mexico 88340

Pueblo of Sandia Environment Department
Attn: Frank Chaves, Environment Director
481 Sandia Loop
Bernalillo, New Mexico 87004

Pueblo of Isleta
Department of Cultural and Historic Preservation
Attn: Dr. Henry Walt, THPO
P.O. Box 1270
Isleta NM 87022

Water Resources Division Manager
Pueblo of Santa Ana
2 Dove Road
Santa Ana Pueblo, New Mexico 87004

For more information:
National Association of Tribal Historic Preservation Officers
P.O. Box 19189
Washington, DC 20036-9189
Phone: (202) 628-8476
Fax: (202) 628-2241

IV. Advisory Council on Historic Preservation
Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW., Suite 803,
Washington, DC 20004 Telephone: (202) 606-8503, Fax: (202) 606-8647/8672, E-mail: achp@achp.gov
Appendix D - Suggested Initial Phase Sampling Location Concepts – Wet Weather Monitoring

Option A: Individual Monitoring

- Watershed Boundary
- Jurisdictional City Boundary
- County Boundary
- Perennial waters - contain water throughout the year and rarely experiences dry periods
- Irrigation Channel
- Intermittent waters - contain water for extended periods only at certain times of the year, such as when it receives seasonal flow from springs or melting snow.
- Monitoring Location
Option B: Cooperative Monitoring

- Watershed Boundary
- Jurisdictional City Boundary
- County Boundary
- Perennial waters - contain water throughout the year and rarely experiences dry periods
- Intermittent waters - contain water for extended periods only at certain times of the year, such as when it receives seasonal flow from springs or melting snow.
- Monitoring Location
Appendix E - Providing Comments or Requesting a Public Hearing on an MS4 Operator’s NOI

NOTE: Appendix E is for public information only and does not impose conditions on the permittee.

Any interested person may provide comments or request a public hearing on a Notice of Intent (NOI) submitted under this general permit. The general permit itself is not reopened for comment during the period an NOI is available for review and comment.

A. How Will I Know A MS4 is Filing an NOI and How Can I Get a Copy?
The permittee is required to provide a local public notice that they are filing an NOI and make a copy of the draft NOI submittal available locally. EPA will put basic information from all NOIs received on the Internet at: http://www.epa.gov/region6/6wq/npdes/sw/sms4/index.htm. You may contact the listed MS4 representative for local access to the NOI. You may also request a copy from EPA by contacting Ms. Dorothy Brown at 214-665-8141 or brown.dorothy@epa.gov or via mail at the Address in Item D below, attention Dorothy Brown.

B. When Can I File Comments or a Hearing Request?
You can file comments and/or request a hearing as soon as a NOI is filed, but your request must be postmarked or physically received by EPA within thirty (30) calendar days of the date the NOI is posted on the web site in Section A.

C. How Do I File Comments or Make My Hearing Request?
Your comments and/or hearing request must be in writing and must state the nature of the issues proposed to be raised in the hearing. You should be as specific as possible and include suggested remedies where possible. You should include any data supporting your position(s). If you are submitting the request on behalf of a group or organization, you should describe the nature and membership of the group or organization. Electronic format comments in MS-WORD or PDF format are preferred.

D. Where Do I Send Copies of My Comments or Hearing Request?
Electronic Format: Submit one copy of your comments or hearing request via e-mail to Ms. Dorothy Brown at brown.dorothy@epa.gov and copy the Operator of the MS4 at the address on the NOI (send hard copy to MS4 Operator if no e-mail address provided). You may also submit via compact disk or diskette formatted for PCs to addresses for hard copy below. (Hard Copy: You must send an original and one copy of your comments or hearing request to EPA at the address below and a copy to the Operator of the MS4 at the address provided on the NOI)

U.S. EPA Region 6
Water Quality Protection Division (6WQ-NP)
Attn: Dorothy Brown
1445 Ross Ave., Suite 1200
Dallas, TX 75202

E. How Will EPA Determine Whether or Not To Hold a Public Hearing?
EPA will evaluate all hearing requests received on an NOI to determine if a significant degree of public interest exists and whether issues raised may warrant clarification of the MS4 Operator’s NOI submittal. EPA will hold a public hearing if a significant amount of public interest is evident. EPA may also, at the Agency’s discretion, hold either a public hearing or an informal public meeting to clarify issues related to the NOI submittal. EPA may hold a single public hearing or public meeting covering more than one MS4 (e.g., for all MS4s in an Urbanized Area, etc.).

F. How Will EPA Announce a Public Hearing or Public Meeting?
EPA will provide public notice of the time and place for any public hearing or public meeting in a major newspaper with local distribution and via the Internet at http://www.epa.gov/region6/6wq/npdes/sw/sms4/index.htm.

G. What Will EPA Do With Comments on an NOI?
EPA will take all comments made directly or in the course of a public hearing or public meeting into consideration in determining whether or not the MS4 that submitted the NOI is appropriately covered under the general permit. The MS4 operator will have the opportunity to provide input on issues raised. The Director may require the MS4 operator to supplement or amend the NOI submittal in order to be authorized under the general permit or may direct the MS4 Operator to submit an individual permit application. A summary of issues raised and EPA’s responses will be made available online at http://www.epa.gov/region6/6wq/npdes/sw/sms4/index.htm. A hard copy may also be requested by contacting Ms. Dorothy Brown (see paragraph D)
Appendix F - Minimum Quantification Levels (MQL’s)

The following Minimum Quantification Levels (MQL’s) are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

<table>
<thead>
<tr>
<th>POLLUTANTS</th>
<th>MQL µg/l</th>
<th>POLLUTANTS</th>
<th>MQL µg/l</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aluminum</td>
<td>2.5</td>
<td>Molybdenum</td>
<td>10</td>
</tr>
<tr>
<td>Antimony</td>
<td>60</td>
<td>Nickel</td>
<td>0.5</td>
</tr>
<tr>
<td>Arsenic</td>
<td>0.5</td>
<td>Selenium</td>
<td>5</td>
</tr>
<tr>
<td>Barium</td>
<td>100</td>
<td>Silver</td>
<td>0.5</td>
</tr>
<tr>
<td>Beryllium</td>
<td>0.5</td>
<td>Thallium</td>
<td>0.5</td>
</tr>
<tr>
<td>Boron</td>
<td>100</td>
<td>Uranium</td>
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<tr>
<td>Cadmium</td>
<td>1</td>
<td>Vanadium</td>
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<tr>
<td>Chromium</td>
<td>10</td>
<td>Zinc</td>
<td>0.5</td>
</tr>
<tr>
<td>Cobalt</td>
<td>50</td>
<td>Cyanide</td>
<td>10</td>
</tr>
<tr>
<td>Copper</td>
<td>0.5</td>
<td>Cyanide, weak acid dissociable</td>
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</tr>
<tr>
<td>Lead</td>
<td>0.5</td>
<td>Total Residual Chlorine</td>
<td>33</td>
</tr>
<tr>
<td>Mercury (*)</td>
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<td></td>
<td></td>
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<tr>
<td></td>
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</tbody>
</table>

DIOXIN

2,3,7,8-TCDD 0.00001

VOLATILE COMPOUNDS

| Acrolein  | 50      | 1,3-Dichloropropylene | 10    |
| Acrylonitrile | 20      | Ethylbenzene          | 10    |
| Benzene   | 10      | Methyl Bromide        | 50    |
| Bromoform | 10      | Methylene Chloride    | 20    |
| Carbon Tetrachloride | 2 | 1,1,2,2-Tetrachloroethane | 10 |
| Chlorobenzene | 10 | Trichloroethylene    | 10    |
| Chlorodibromomethane | 10 | Toluene              | 10    |
| Chloroform | 50      | 1,2-trans-Dichloroethylene | 10 |
| Dichlorobromomethane | 10 | 1,1,2-Trichloroethane | 10    |
| 1,2-Dichloroethane | 10 | Trichloroethylene    | 10    |
| 1,1-Dichloroethylene | 10 | Vinyl Chloride       | 10    |
| 1,2-Dichloropropane | 10 |

ACID COMPOUNDS

<p>| 2-Chlorophenol | 10  | 2,4-Dinitrophenol | 50 |
| 2,4-Dichlorophenol | 10  | Pentachlorophenol | 5  |
| 2,4-Dimethylphenol | 10  | Phenol            | 10 |
| 4,6-Dinitro-o-Cresol | 50  | 2,4,6-Trichlorophenol | 10 |</p>
<table>
<thead>
<tr>
<th>POLLUTANTS</th>
<th>MQL µg/l</th>
<th>POLLUTANTS</th>
<th>MQL µg/l</th>
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<td>Acenaphthene</td>
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<td>Dimethyl Phthalate</td>
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<td>Anthracene</td>
<td>10</td>
<td>Di-n-Butyl Phthalate</td>
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<td>Benzidine</td>
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<td>2,4-Dinitrotoluene</td>
<td>10</td>
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<td>Benzo(a)anthracene</td>
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<td>1,2-Diphenylhydrazine</td>
<td>20</td>
</tr>
<tr>
<td>Benzo(a)pyrene</td>
<td>5</td>
<td>Fluoranthene</td>
<td>10</td>
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<td>3,4-Benzofluoranthene</td>
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<td>Fluorene</td>
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<td>Benzo(k)fluoranthene</td>
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<td>Hexachlorobenzene</td>
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<td>Bis(2-chloroethyl)Ether</td>
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<td>Hexachlorobutadiene</td>
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<td>Hexachlorocyclopentadiene</td>
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<td>Bis(2-ethylhexyl)Phthalate</td>
<td>10</td>
<td>Hexachlorcyclooctatadiene</td>
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<td>Butyl Benzyl Phthalate</td>
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<td>Indeno(1,2,3-cd)Pyrene</td>
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<tr>
<td>2-Chloronaphthalene</td>
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<tr>
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<td>5</td>
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<tr>
<td>1,2-Dichlorobenzene</td>
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<td>1,4-Dichlorobenzene</td>
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<tr>
<td>Diethyl Phthalate</td>
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**PESTICIDES AND PCBs**

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<tr>
<th></th>
<th>MQL µg/l</th>
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<tr>
<td>Aldrin</td>
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<td>Endosulfan sulfate</td>
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<td>Heptachlor Epoxide</td>
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<td>Dieldrin</td>
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<td>Alpha-Endosulfan</td>
<td>0.01</td>
<td>Toxaphene</td>
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</table>

(MQL's Revised November 1, 2007)

(*) Default MQL for Mercury is 0.005 unless Part 1 of your permit requires the more sensitive Method 1631 (Oxidation / Purge and Trap / Cold vapor Atomic Fluorescence Spectrometry), then the MQL shall be 0.0005.

(**) EPA Method 1668 should be utilized when PCB water column monitoring is conducted to determine compliance with permit requirements. Either the Arochlor test (EPA Method 8082) or USGS test method (8093) may be utilized for purposes of sediment sampling as part of a screening program, but must use EPA Method 1668 (latest revision) for confirmation and determination of specific PCB levels at that location.
Appendix G - Oxygen Saturation and Dissolved Oxygen Concentrations North Diversion Channel Area

Concentrations of dissolved oxygen in water at various atmospheric pressures and temperatures with 100 percent oxygen saturation, 54.3 percent oxygen saturation (associated with hypoxia and harassment of silvery minnows), and 8.7 percent oxygen saturation (associated with anoxia and lethality of silvery minnows) at the North Diversion Channel (NDC) (based on USGS DO website <http://water.usgs.gov/software/DOTABLES/> for pressures between 628 to 648 millimeters of mercury (Hg)). Source: Biological Consultation Cons. #22420-2011-1-F-0024-R001

<table>
<thead>
<tr>
<th>Water temp. (°C)</th>
<th>100% Oxygen Saturation at NDC</th>
<th>54.3% saturation = Harassment</th>
<th>8.7% saturation = 50% Lethality</th>
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<tbody>
<tr>
<td></td>
<td>626 mmHg</td>
<td>636 mmHg</td>
<td>646 mmHg</td>
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<td>35</td>
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<td>5.9</td>
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</tbody>
</table>
APPENDIX B – SSCAFCA’s NOI
NOTICE OF INTENT

National Pollutant Discharge Elimination System Stormwater Program
MS4 Notice of Intent Format

Check box if you are submitting an individual NOI with one or more cooperative program elements.  ☒

Check box if you are submitting an individual NOI with individual program elements only.  ☐

Check box if your municipality or organization was previously covered under a MS4 permit.  ☒

Please indicate the permittee class type: (Note: The definition of the permittee class type is located in Table 1 of Part I.B.1.)

☐ A (Phase I)  ☒ B (Phase II)  ☐ C (New Phase II)  ☐ D (MS4s within Indian Lands)

I. MS4(s) Information

A. General Information

Southern Sandoval County Arroyo Flood Control Authority
Name of MS4

David  Gatterman  Environmental
Name of Contact Person (First)  (Last)  (Title)

505-892-7246  dgatterman@sscafca.com
Telephone (including area code)  Email

1041 Commercial Dr. SE
Mailing Address

Rio Rancho  NM  87124
City  State  ZIP code

What size population does your MS4(s) serve?  101,103

The operator is:  ☐ Federal  ☐ State  ☐ Tribal  ☒ other public  (check one)
**B. In what urbanized area (UA), the MS4 is located in:**
- Farmington UA
- Santa Fe UA
- Albuquerque UA  
- Los Lunas UA
- Las Cruces UA
- El Paso UA

**C. If not located in an UA, the MS4 is located in:**
- Core Municipality
- Indian Reservation/Pueblo
- County(ies)
- Cluster

**D. Is this a Phase I MS4?**
- ☐ Yes
- ☒ No

**Is this a Non-traditional MS4?**
- ☒ Yes
- ☐ No

If so, Check one:  
- ☐ Dept. of Transportation
- ☒ Flood Control Authority
- ☐ University

**Other - Specify**

**What is the Latitude and longitude of the approximate center of the MS4?**
- Latitude: 35.3167 N
- Longitude: 106.7061 W

**II. Eligibility Determination**

**A. Receiving Water(s) Information**

Does the MS4 discharge to any waters for which an TMDL applicable to discharges from the MS4 has been approved? (See Part I.A.5.f)
- ☒ Yes
- ☐ No
- ☐ NA

The receiving water(s) are:

<table>
<thead>
<tr>
<th>State or Tribal Segment ID</th>
<th>Approved TMDL</th>
<th>TMDL assigns WLA to MS4</th>
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</thead>
<tbody>
<tr>
<td>Rio Grande River</td>
<td>☒ Yes</td>
<td>☒ Yes</td>
</tr>
<tr>
<td></td>
<td>☐ No</td>
<td>☐ No</td>
</tr>
</tbody>
</table>

Is the MS4 (or a group of MS4s) seeking an alternative sub-measureable goal for TMDL controls under Part I.C.2.b.(i).c).B?  
- ☐ Yes
- ☒ No
- ☐ NA

If so, the MS4 or a group of MS4s must submit a preliminary proposal with the NOI to EPA and NMED (see Part I.B.2.k, Section B.2 in Appendix B and Part III.D.4). This proposal should include, but is not limited to, the elements included in Appendix B under Section B.2 of the permit.
If the MS4 discharges to a receiving water for which EPA has approved or developed a TMDL, describe how the eligibility requirements of Part I.A.5.f and Part I.C.2. have been met:

A bacteria TMDL for the Middle Rio Grande was approved by the New Mexico Water Quality Control Commission on April 13, 2010, and by EPA on June 30, 2010. The new TMDL modifies: 1) the indicator parameter for bacteria from fecal coliform to E. coli, and 2) the way the WLA’s are assigned.

B. Is the MS4 partially located on Indian Country lands?  ☐ Yes  ☒ No

If so, the Indian Country Lands include the following: (NOTE: MS4s straddling State and Indian Country land boundaries will be issued authorization under all applicable permits and may have additional State or Tribal-specific requirements applicable to different areas of the MS4 - see Part VIII and initial notification under Part III.D.4)

C. Is the permit in compliance with the National Historic Preservation Act (NHPA)?  ☒ Yes  ☐ No

In order to be eligible for coverage under this permit, the MS4 operator must meet one of the following criteria: (Please check which criterion the MS4 is eligible under)

Criterion A: storm water discharges, allowable non-storm water discharges, and discharge-related activities do not affect a property that is listed or is eligible for listing on the National Register of Historic Places as maintained by the Secretary of the Interior.  ☒

Criterion B: the applicant has obtained and is in compliance with a written agreement with the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) (or equivalent tribal authority) that outlines all measures the MS4 operator will undertake to mitigate or prevent adverse effect to the historic property.  ☐

Provide a brief summary of the basis for the criterion selected above:

Historic properties are not identified in the path of an MS4’s storm water and allowable non-storm water discharges or where construction activities are planned to install BMPs to control such discharges. (e.g., diversion channels or retention ponds).
III. Preliminary Description of the Proposed Stormwater Program

As applicable, use Sections 1 through 8 below to describe the storm water management program (SWMP), including best management practices (BMPs) or storm water controls that will be implemented and the measurable goals for each of the storm water minimum control measures specified in Part I.D.5 of this permit, the month and year in which the MS4 operator will start and fully implement each of the minimum control measures or the frequency of the action, the name of the person(s) or position(s) responsible for implementing or coordinating the SWMP.

If the MS4 operator is participating in cooperative programs with other parties (or is relying on another governmental entity) to satisfy one or more permit obligations (see Part I.D.3), use the space provided under Cooperative Elements to identify the partners and briefly describe roles and responsibilities.

NOTE:
The space provided in the fields below (255 characters) should be used to briefly describe proposed BMPs and corresponding measurable goals. Individual boxes should be used to describe individual target activities. If additional space is required to describe target activities, the MS4(s) should attach such as information with the NOI using the format provided.

Section 1. Construction Site Stormwater Runoff Control – Proposed BMPS, Stormwater Controls, and Measurable Goals

1.1. Development of an ordinance or other regulatory mechanism as required in Part I.D.5.a.(ii)(a)

SSCAFCA does not have statutory authority to write ordinances

TL: N/A

MG1 - No measurable goals due to inability to write ordinances

N/A

Cooperative Elements

SSCAFCA will assist other MS4s within the TAG (Technical Advisory Group) on the development of the ordinances or other regulatory mechanisms to ensure compliance Part I.D.5.a.(ii)(a)
1.2. Develop requirements and procedures as required in Part I.D.5.a.(ii)(b) through Part I.D.5.a.(ii)(h)

SSCAFCA does not have statutory authority to regulate non-agency construction projects. SSCAFCA will comply with the requirements of Part I.D.5.a.(ii)(b) through I.D.5.a.(ii)(h) for its own construction projects.

TL: SSSCAFCA will ensure compliance with the requirements of this section for SSSCAFCA-owned projects by 12/1/15.

MG1: 100% compliance with this section for SSSCAFCA-owned projects

RP: Environmental Services Director

Cooperative Elements

SSCAFCA will assist other MS4s within the the TAG on the development of the ordinances or other regulatory mechanisms to ensure compliance Part I.D.5.a.(ii)(a) through Part I.D.5.a.(ii)(h)

1.3. Annually conduct site inspections of 100 percent of all construction projects cumulatively disturbing one (1) or more acres as required in Part I.D.5.a.(iii)

SSCAFCA does not have statutory authority to inspect projects outside of SSSCAFCA-owned projects. SSSCAFCA will ensure all SSSCAFCA-owned project are inspected as required by this section.

TL: SSSCAFCA will ensure 100% of SSSCAFCA-owned projects are inspected as required by this section by 12/1/2016.

MG: 100% compliance with this section for SSSCAFCA-owned projects by 12/1/16

RP: Environmental Services Director
Cooperative Elements

SSCAFCA will provide technical assistance, as requested, to other MS4s in the TAG to assist in implementation of this requirement.

1.4. Coordinate with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction projects/activities within the permit area as required in Part I.D.5.a.(iv)

SSCAFCA does not have regulatory authority over public/private construction activities except for SSCAFCA-owned projects. SSCAFCA will ensure that SSCAFCA-owned projects are coordinated with applicable departments and boards.

TL: SSCAFCA ensure compliance with Part I.D.5.a.(iv) for SSCAFCA-owned projects by 12/1/2015.

MG: 100% compliance section by 12/1/2015.

RP: Environmental Services Director

Cooperative Elements

SSCAFCA will coordinate projects with other MS4 entities and provide technical assistance, as requested, to other members of the TAG on this issue.
1.5. Evaluation of GI/LID/Sustainable practices in site plan reviews as required in Part I.D.5.a.(v)

SSCAFCA does not have jurisdiction or authority over site design, aside from SSCAFCA-owned projects. All SSCAFCA-owned projects will be assessed for GI/LID opportunities and will incorporate GI/LID elements as possible on these projects.

TL - A process for evaluating all SSCAFCA-owned projects for GI/LID opportunities will be in place by 12/2015

MG - Include a reporting requirement of the number of SSCAFCA-owned projects that had opportunities to implement these practices and how many incorporated these practices.

RP - Environmental Services Director and Drainage Engineer

Cooperative Elements

SSCAFCA will work with the TAG for training of review staff and for identifying GI/LID training opportunities.

SSCAFCA will participate on the Design Review Committee with other Sandoval County entities on the review of plans

1.6. Enhance the program to include program elements in Part I.D.5.a.(viii) through Part I.D.5.a.(x)

SSCAFCA will seize opportunities through cooperation with the SWQT, TAG to enhance the program to include program elements in Part I.D.5.a.(viii) through Part I.D.5.a.(ix)

Update as necessary

Update as necessary

Environmental Services Director, Executive Engineer, Administrative Services Director, and Drainage Engineer will work closely with the SWQT and the TAG to enhance the program.
Cooperative Elements

SSCAFCA will seize opportunities through cooperation with the SWQT, TAG to enhance the program to include program elements in Part I.D.5.a.(viii) through Part I.D.5.a.(ix)

1.7. Describe other proposed activities to address the Construction Site Stormwater Runoff Control Measure:

No additional activities are proposed to address Construction Site Stormwater Runoff Control on SSCAFCA-owned projects.

Section 2. Post-Construction Stormwater Management in New Development and Redevelopment – Proposed BMPs, Stormwater Controls, and Measurable Goals

2.1. Development of strategies as required in Part I.D.5.b.(ii).(a)

SSCAFCA has no statutory authority over private/public development but will develop or revise strategies which include a combination of structural and/or non-structural BMPs to control pollutants in storm-water runoff for SSCAFCA-owned projects.

TL - SSCAFCA will continue to review and revise strategies which include a combination of structural and/or non-structural best management practices (BMPs) to control pollutants in storm-water runoff for SSCAFCA-owned projects.

MG - SSCAFCA will review and revise strategies to ensure compliance with the permit for SSCAFCA-owned facilities.

RP - Environmental Services Director and Drainage Engineer will review and revise the program as necessary.
Cooperative Elements

SSCAFCA will continue to work with the TAG and other agencies to discuss and develop policies and strategies.

<table>
<thead>
<tr>
<th>Cooperative Elements</th>
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<table>
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<tr>
<th>2.2. Development of an ordinance or other regulatory mechanism as required in Part I.D.5.b.(ii),(b)</th>
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SSCAFCA does not have statutory authority to develop ordinances.

<table>
<thead>
<tr>
<th>TL - N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>MG - N/A</td>
</tr>
<tr>
<td>RP - N/A</td>
</tr>
</tbody>
</table>

Cooperative Elements

SSCAFCA will continue to work with the TAG and other agencies to discuss and help develop regulatory mechanisms.
2.3. Implementation and enforcement, via the ordinance or other regulatory mechanism, of site design standards as required in Part I.D.5.b.(ii).(b).

SSCAFCA does not have regulatory authority to develop or implement ordinances.

TL - N/A

MG - N/A

RP - N/A

Cooperative Elements

SSCAFCA will continue to work with the TAG and other agencies to review and revise design standards as necessary to meet permit goals.

2.4. Ensure appropriate implementation of structural controls as required in Part I.D.5.b.(ii).(c) and Part I.D.5.b.(ii).(d)

SSCAFCA does not have statutory authority to review, inspect and enforce BMPs (pre- or post construction) aside from its facilities. SSCAFCA will internally review designs, provide pre- and post-construction inspections of SSCAFCA-owned facilities.

TL - Process will be in place for pre- and post-construction inspection of BMPs on SSCAFCA-owned facilities by 12/2016.

MG 1 - Develop internal policy for pre- and post-construction of SSCAFCA-owned facilities' BMPs by 6/2016.
MG 2 - Implement policy for pre- and post-construction of SSCAFCA-owned facilities' BMPs by 12/2016

Environmental Services Director and Field Services Director will be trained to inspect plans and sites.
Cooperative Elements

SSCAFCA will work with members of the TAG to identify training opportunities for staff and exchange technical information on BMP performance.

2.5. Develop procedures as required in Part I.D.5.b.(ii).(e), Part I.D.5.b.(ii).(f), Part I.D.5.b.(ii).(g), and Part I.D.5.b.(ii).(h)

For Part I.D.5.b.(ii).(e) SCAFCA will work with SWQT to educate developers, for Parts I.D.5.b.(ii).(f), (g), and (h), SCAFCA does not have statutory authority enforce ordinances, control pesticide application, or provide review for stormwater controls.

TL - 6/2016 procedures will work with SWQT to develop and implement a procedure to educate project developers regarding designs to control water quality effects of stormwater.

MG1 by 06/2016 procedures will be in place for educational program.

Administrative Services Director will be lead to develop procedures for project developer education.

Cooperative Elements

SSCAFCA will continue to work with the TAG, SWQT and other agencies to discuss and help develop procedure.
2.6. Coordinate internally with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction projects/activities within the permit area as required in Part I.D.5.b.(iii)

SSCAFCA does not have statutory authority to review development for 90th percentile runoff events. SSCAFCA will review plans for SSCAFCA-owned projects for compliance with 90th percentile storm runoff requirements.

TL - by 12/2015 pre-development hydrology on planning documents will begin to be reviewed on SSCAFCA-owned projects to ensure capturing the 90th percentile storm event runoff.

MG - For purposes of this permit, pre-development hydrology will be reviewed by appropriate agencies to ensure capturing the 90th percentile storm event runoff (consistent with any limitations on that capture).

RP - Environmental Services Director and Drainage Engineer.

Cooperative Elements

SSCAFCA will assist Sandoval County, Town of Bernalillo, ESCAFCA, NMDOT, City of Rio Rancho and Village of Corrales, for the planning, review, permitting, or approval of public and private construction projects/activities within the permit area.

SSCAFCA will participate in the Design Review Committee process for review of private development projects.

2.7. As required in Part I.D.5.b.(iv), the permittee must assess all existing codes, ordinances, planning documents and other applicable regulations, for impediments to the use of GI/LID/Sustainable practices

SSCAFCA does not have statutory authority to develop codes but will assess all existing SSCAFCA planning documents and other applicable documents, for impediments to the use of GI/LID/Sustainable practices and develop report to identify impediments.

TL - 12/2016 complete report detailing impediments to GI/LID in planning documents.

MG YR1 - Compile and review existing information.
MG YR 2 - Write report detailing impediments.

Environmental Services Director
Cooperative Elements

Work with members of the TAG to discuss any questions regarding impediments.

---

2.8. As required in Part I.D.5.b.(iv), describe the plan to report the assessment findings on GI/LID/Sustainable practices

SSCAFCA will identify and review all SSCAFCA-generated relevant planning and associated documents and compile a listing of changes needed to remove impediments to GI/LID/Sustainable practices

TL - 12/2016 complete report detailing impediments to GI/LID in planning documents.

MG YR1 - Compile and review existing documents.
MG YR 2 - Write report detailing impediments.

Environmental Services Director

Cooperative Elements

Work with members of the TAG to discuss any questions regarding impediments.
2.9. Estimation of the number of acres of IA and DCIA as required in Part I.D.5.b.(vi)

SSCAFCA will estimate of the number of acres of IA and DCIA on SSCAFCA-owned property as required in Part I.D.5.b.(vi)

TL - Complete estimate by 06/2017

MG - SSCAFCA will complete an estimate of the number of acres of IA and DCIA by permit deadline.

Environmental Services Director

Cooperative Elements

GIS and aerial photography information will be obtained from MRCOG and shared within the TAG.

2.10. Inventory and priority ranking as required in section in Part I.D.5.b.(vii)

SSCAFCA will develop an inventory and priority ranking of MS4-owned property and infrastructure (including public right-of-way) that may have the potential to be retrofitted with control measures as required in section in Part I.D.5.b.(vii)

TL - 06/18 Full inventory and priority ranking will be achieved.

MG YR 1 Develop inventory of facilities
MG YR 2 Develop priority ranking
MG YR 3 Analyze potential retrofits

RP - Environmental Services Director and Drainage Engineer
Cooperative Elements

Will brainstorm ideas with TAG for retrofits for facilities.

<table>
<thead>
<tr>
<th>2.11. Incorporate watershed protection elements as required in Part I.D.5.b.(viii)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SSCAFCA will incorporate watershed protection elements, as statutory authority permits, into relevant policy and/or planning documents as they come up for regular review.</td>
</tr>
<tr>
<td>TL - Complete by 06/2017</td>
</tr>
<tr>
<td>MG YR1 - collect planning documents</td>
</tr>
<tr>
<td>MG YR2 - create a schedule of regular review for planning documents</td>
</tr>
<tr>
<td>MG YR3 - identify areas where watershed protection elements can be incorporated</td>
</tr>
<tr>
<td>Environmental Services Director</td>
</tr>
</tbody>
</table>

Cooperative Elements

Work with TAG to identify watershed protection strategies
2.12. Enhance the program to include program elements in Part I.D.5.b.(xi) and Part I.D.5.b.(xii)

SSCAFCA will enhance their program to include program elements in Part I.D.5.b.(xi) and Part I.D.5.b.(xii).

TL - update as necessary

MG1 - Review educational materials and revise as needed to strengthen program.
MG2 - As necessary work with interested stakeholders to develop and strengthen program goals.

Environmental Services Director/Administrative Services Director

Cooperative Elements

SWQT and TAG will assist in reviewing materials to meet and improve program goals.

2.13. Describe other proposed activities to address the Post-Construction Stormwater Management in New Development and Redevelopment Measure:

No additional activities are proposed for Post-Construction Stormwater Management in New Development and Redevelopment.
Section 3. Pollution Prevention/Good Housekeeping for Municipal/Co-permittee Operations – Proposed BMPs, Stormwater Controls, and Measurable Goals

3.1. Develop or update the Pollution Prevention/Good House Keeping program to include the elements in Part 1.D.5.c.(i)

SSCAFCA will update the Pollution Prevention/Good House Keeping program to include the elements, as applicable, in Part 1.D.5.c.(i) for contract maintenance staff.

TL - 06/2016 SSCAFCA will update the Pollution Prevention/Good House Keeping program.

MG YR1 - compile and review current good housekeeping programs
MG YR1.5 - Update program to include storm-water pollution prevention.

Environmental Services Director/Field Services Director

Cooperative Elements

Work with NMED, TAG and SWQT to develop training materials for SSCAFCA staff and contractors working on SSCAFCA facilities.

3.2. Enhance the program to include the elements in Part 1.D.5.c.(ii)

SSCAFCA will enhance the program to include the elements in Part 1.D.5.c.(ii), as applicable

TL - 06/2017

MG YR1and2 - compile and review all applicable programs listed in Part 1.D.5.c.(ii)
MG YR2 - Update programs to include storm-water pollution prevention as necessary.

Environmental Services Director/Drainage Engineer/Field Services Director
Cooperative Elements

Work with NMED, TAG and SWQT to update programs and training materials for SSCAFCA staff.

3.3. Develop or update a list and a map of industrial facilities owned or operated by the permittee as required in Part I.D.5.c.(iii)

SSCAFCA does not own or operate any industrial facilities. If SSCAFCA does begin operation of an industrial facility, SWMP will be updated to comply with this section of the permit.

<table>
<thead>
<tr>
<th>TL</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>MG</td>
<td>N/A</td>
</tr>
<tr>
<td>RP</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Cooperative Elements

SSCAFCA will provide technical support, when requested, to members of the TAG to assist them in compliance with this section.
3.4. Describe other proposed activities to address the Pollution Prevention/Good Housekeeping for Municipal/permittee Operations Measure:

No additional activities to address Pollution Prevention/Good Housekeeping are proposed.

Section 4: Industrial and High Risk Runoff – Proposed BMPs, Stormwater Controls, and Measurable Goals (APPLICABLE ONLY TO CLASS A PERMITTEES)

4.1. Ordinance (or other control method) as required in Part 1.D.5.d.(i)

N/A - SSCAFCA is a Class B Permittee

Cooperative Elements
4.2. Continue implementation and enforcement of the Industrial and High Risk Runoff program, assess the overall success of the program, and document both direct and indirect measurements of program effectiveness in the annual report as required in Part I.D.5.d.(ii)

N/A - SSCAFCA is a Class B Permittee

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Cooperative Elements

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4.3. Meet the monitoring requirements in Part I.D.5.d.(iii)

N/A - SSCAFCA is a Class B Permittee
4.4. Include requirements in Part I.D.5.d.(iv)

N/A - SCFCA is a Class 8 Permittee
4.5. Enhance the program to include requirements in Part I.D.5.d.(vii)

N/A - SSCAFCA is a Class B Permittee

Cooperative Elements

4.6. Describe other proposed activities to address the Industrial and High Risk Runoff Measure:

N/A - SSCAFCA is a Class B Permittee
### Section 5. Illicit Discharges and Improper Disposal – Proposed BMPs, Stormwater Controls, and Measurable Goals

#### 5.1. Mapping as required in Part I.D.5.e.(i)(a)

<table>
<thead>
<tr>
<th>SSCAFCA</th>
<th>Will complete mapping as required in Part I.D.5.e.(i)(a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TL</td>
<td>Map will be complete by 12/2015</td>
</tr>
<tr>
<td>MG</td>
<td>Completion of map as required in Part I.D.5.e.(i)(a)</td>
</tr>
<tr>
<td></td>
<td>Environmental Services Director/Staff Hydrologist</td>
</tr>
</tbody>
</table>

**Cooperative Elements**

- Will share information with TAG members to compile maps as necessary.

#### 5.2. Ordinance (or other control method) as required in Part I.D.5.e.(i)(b)

<table>
<thead>
<tr>
<th>SSSCAFCA</th>
<th>Does not have statutory authority to develop and implement ordinances</th>
</tr>
</thead>
<tbody>
<tr>
<td>TL</td>
<td>N/A</td>
</tr>
<tr>
<td>MG</td>
<td>N/A</td>
</tr>
<tr>
<td>RP</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Cooperative Elements

Assist TAG members in the development of language for the ordinances and to develop language for procedures.

5.3. Develop and implement a IDDE plan as required in Part I.D.5.c.(i)(c)

SSCAFCA will develop and implement a plan to detect and address non-stormwater discharges, including illegal dumping, to the MS4.

TL - YR1 Locate priority areas likely to have illicit discharges
TL - YR2 Develop procedures for notifying MS4 with enforcement capability; removing the source of the discharge; and program evaluation and assessment.

MG 1 Identify priority areas within our MS4.

Environmental Services Director and Field Services Director

Cooperative Elements

Work closely with TAG to develop procedures for IDDE.
5.4. Develop an education program as required in Part I.D.5.e.(i)(d)

Develop an education program to promote, publicize, and facilitate public reporting of illicit connections or discharges, and distribution of outreach materials.

TL - YR1 Identify outlets for education regarding public reporting of illicit discharges. TL - YR1.5 Begin public outreach campaign.

MG 1 - Develop outreach material for public employees, businesses and the general public.

Administrative Services Director/Environmental Services Director

Cooperative Elements

Work with SWQT and TAG to develop educational material.

5.5. Establish a hotline as required in Part I.D.5.e.(i)(e)

SSCAFCA will work with MS4s with overlapping jurisdiction to develop a hotline as required in Part I.D.5.e.(i)(e)

TL - YR1 SSCAFCA will work with MS4s with overlapping jurisdictions to identify procedures to implement a hotline. TL - YR1.5 Integrate this element into non-emergency dispatch system of overlapping MS4s.

MG 1 Integrate this element into non-emergency dispatch systems

Environmental Services Director/Executive Engineer
Cooperative Elements

SSCAFCA will work with TAG members to discuss and implement.

SSCAFCA will work with Sandoval County, Town of Bernalillo, City of Rio Rancho, and Village of Corrales on the development of a hotline system.

5.6. Investigate suspected significant/severe illicit discharges as required in Part I.D.5.e.(i)(f)

SSCAFCA will investigate suspected significant/severe illicit discharges as required in Part I.D.5.e.(i)(f) to the extent of their statutory authority and contact appropriate MS4 once source has been identified.

TL - YR1 will investigate suspected significant/severe illicit discharges

MG1 will be prepared to investigate suspected significant/severe illicit discharges

Field Services Director/Environmental Services Director

Cooperative Elements

SSCAFCA will work with TAG members to discuss and implement.

SSCAFCA will work with Sandoval County, Town of Bernalillo, City of Rio Rancho, NMDOT and Village of Corrales on any reported illicit discharge since SSCAFCA does not possess statutory authority to enforce.
5.7. Review complaint records and develop a targeted source reduction program as required in Part I.D.5.e.(i)(g)

<table>
<thead>
<tr>
<th>SSCAFCA will review complaint records and develop a targeted source reduction program as required in Part I.D.5.e.(i)(g)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TL YR1 - will review complaint records and as needed develop a targeted source reduction program</td>
</tr>
<tr>
<td>MG1 - review complaint records from previous permit cycle</td>
</tr>
<tr>
<td>RP - Environmental Services Director/Field Services Director</td>
</tr>
</tbody>
</table>

Cooperative Elements

| SSCAFCA will work with TAG members to coordinate IDDE issues and overlapping complaint areas. |

5.8. Screening of system as required in Part I.D.5.e.(iii) as follows:

<table>
<thead>
<tr>
<th>SSCAFCA screen the entire jurisdiction at least once every five (5) years and high priority areas at least once every year.</th>
</tr>
</thead>
<tbody>
<tr>
<td>TL - Once per year</td>
</tr>
<tr>
<td>MG1 - screen the entire jurisdiction for illicit discharge</td>
</tr>
<tr>
<td>Environmental Services Director/Field Services Director</td>
</tr>
</tbody>
</table>
Cooperative Elements

Will overlap each others jurisdictions to inspect for illegal dumping and report to Sandoval County based TAG members.

5.9. Develop, update, and implement a Waste Collection Program as required in Part I.D.5.e.(iv)

SSCAFCA will coordinate with other Sandoval County-based MS4s on a Waste Collection Program as required in Part I.D.5.e.(iv)

| TL - YR1 Review current program |
| TL - YR2 Identify opportunities for expansion through third party collections. |
| TL - YR2.5 Coordinate program efforts between permittees |

| MG 1 Make efforts to expand existing program between Sandoval County permittees. |

Environmental Services Director, Field Services Director, Administrative Services Director

Cooperative Elements

Make efforts to expand existing program between Sandoval County permittees through discussion during TAG meetings.

Continue participation in Keep Rio Rancho Beautiful and Earth Day activities.
5.10. Develop, update and implement a Spill Prevention and Response program to prevent, contain, and respond to spills that may discharge into the MS4 as required in Part I.D.5.e.(v)

SSCAFCA does not have emergency spill response capabilities and relies on overlapping MS4s for any emergency response capabilities.

TL - YR1 Work with overlapping MS4s to collect and review documentation regarding spill prevention and response
TL - YR1.5 Work with overlapping MS4s to update program as necessary.

MG1 complete review of documentation

Environmental Services Director

Cooperative Elements

Work closely with TAG to share program information.

5.11. Enhance the program to include requirements in Part I.D.5.e.(ix)

SSCAFCA may enhance the program to include requirements in Part I.D.5.e.(ix) as needed
5.12. Describe other proposed activities to address the Illicit Discharges and Improper Disposal Measure:

No additional activities are proposed to address illicit discharges and improper disposal measure.

Section 6. Control of Floatables Discharges – Proposed BMPs, Stormwater Controls, and Measurable Goals

6.1. Develop a schedule to implement the program as required in Part I.D.5.f.(i)(a)

SSCAFCA will develop, update, and implement a program to address and control floatables in discharges into the MS4.

TL - YR1 identify potential elements for floatables control programming.
TL - YR1.5 implement feasible elements of floatables control program.

MG1 identify one enhancement to floatables control program.

Environmental Services Director
Cooperative Elements

Work with members of the TAG to provide an integrated approach to floatables management.

6.2. Describe the plan to estimate the annual volume of floatables and trash removed from each control facility and characterize the floatable type as required in Part I.D.5.f.(i)(b)

SSCAFCA will develop a plan to estimate the annual volume of floatables and trash removed from each control facility and characterize the floatable type as required in Part I.D.5.f.(i)(b)

TL - YR1 develop the plan to estimate the volume of floatables
TL - YR2 begin to collect and track the volume of floatables
TL - YR2.5 categorize floatable data

MG1 Collect and estimate volume of floatables
MG 2 categorize floatable data

Environmental Services Director/Field Services Director

Cooperative Elements

Work closely with Sandoval County-based agencies to collect and quantify data.
6.3. Describe other proposed activities to address the Control of Floatables Discharges Measure:

No additional activities are proposed to address the Control of Floatables Discharges Measure.

Section 7. Public Education and Outreach on Stormwater Impacts — proposed BMPs, Stormwater Controls, and Measurable Goals

7.1. Develop, revise, implement, and maintain an education and outreach program as required in Part I.D.5.g.(i) and Part I.D.5.g.(ii)

SSCAFCA will revise and maintain the current education and outreach program as required in Part I.D.5.g.(i) and Part I.D.5.g.(ii)

TL - Update as necessary.

MG1 - revise and maintain the current education and outreach program

Administrative Services Director

Cooperative Elements

SSCAFCA is a paying member of the Storm Water Quality Team, which provides an integrated approach to public outreach and education among MS4 in the middle Rio Grande.
7.2. Enhance the program to include requirements in Part I.D.5.g.(v) through Part I.D.5.g.(viii)

Where necessary to comply with the Minimum Control Measures established in Part I.D.5.g.(i) and Part I.D.5.g.(ii), SSCAFCA will modify/revise an existing education and outreach program.

TL - 1 Update as needed

MG 1 Storm Water Quality Team will revise its program to assure compliance with all of the elements in Part I.D.5.g.(v) through Part I.D.5.g.(viii)

Administrative Services Director

Cooperative Elements

SSCAFCA is a paying member of the Storm Water Quality Team, which provides an integrated approach to public outreach and education among MS4 in the middle Rio Grande.

7.3. Describe other proposed activities to address the Public Education and Outreach on Stormwater Impacts Measure:
Section 8. Public Involvement and Participation – Proposed BMPs, Stormwater Controls, and Measurable Goals

8.1. Develop (or update), implement, and maintain a public involvement and participation plan as required in Part I.D.5.h.(ii) and Part I.D.5.h.(iii)

SSCAFCA will develop, revise, implement and maintain a plan to encourage public involvement and provide opportunities for participation in the review, modification and implementation of the SWMP

TL - YR1 include a comprehensive planning process which involves public participation and where necessary intergovernmental coordination

MG1: participate where necessary with intergovernmental coordination, to reduce the discharge of pollutants to the maximum extent practicable using management practices

Environmental Services Director/Administrative Services Director

Cooperative Elements

Work with the SWQT and TAG to develop public involvement and participation.

8.2. Describe the plan to comply with State, Tribal, and local notice requirements when implementing a Public Involvement and Participation Program as required in Part I.D.5.h.(iv)

SSCAFCA will comply with State, Tribal, and local notice requirements when implementing a Public Involvement and Participation Program as required in Part I.D.5.h.(iv)

TL - YR1 Complete and implement plan for compliance

MG1 - Develop a plan to comply with State, Tribal, and local notice requirements.

Environmental Services Director
Cooperative Elements

SWQT to host all documents for public involvement and for public notification campaign.

8.3. Describe a plan to include elements as required in Part 1.D.5.h.(v)

SSCAFCA, in cooperation with the Storm Water Quality Team, will participate in a process to reach out to all economic and ethnic groups.

TL - YR1 Work with storm water quality team to define a process to reach out to all economic and ethnic groups.

MG 1- SSCAFCA, in cooperation with the Storm Water Quality Team, will participate in a process to reach out to all economic and ethnic groups.

Administrative Services Director/Environmental Services Director

Cooperative Elements

Participate with members of the Storm Water Quality Team
8.4. As required in Part I.D.5.h. (viii) provide the internet site (or website) where the SWMP document, Annual Reports, and other documents will be available to the public.

www.SSCAFCA.org

8.5. Enhance the program to include requirements in Part I.D.5.h. (ix)

SSCAFCA will integrate the public Involvement and participation program with existing education and outreach programs in the Middle Rio Grande area via the Storm Water Quality Team.

Update as necessary

Update as necessary

Administrative Services Director

Cooperative Elements

SSCAFCA will integrate the public Involvement and participation program with existing education and outreach programs in the Middle Rio Grande area via the Storm Water Quality Team.

8.6. Describe other proposed activities to address the Public Involvement and Participation Measure:
IV. Proposed Monitoring Program

Indicate wet weather monitoring program preference:

Individual Monitoring Program  ☐
Cooperative Monitoring Program  ☑

Provide a general description of the propose monitoring program.

SSCAFCA will cooperate, and potentially share WLAs with other permittees, to meet the assigned WLA for listed stream segments. As specified in Part I.C.2.b.1.c.8, SSCAFCA may share efforts and request an aggregate WLA to be specified in the SWMP.

SSCAFCA will participate in the watershed based cooperative for in-stream sampling for the list of constituents identified in Part III.A.1.b. at the upper and lower bounds of the watershed.

V. Public Participation

Include a Summary of issues raised in any local public comments received by the MS4 Operator on the draft NOI/SWMP and MS4 operator’s responses.

No comments were received by SSCAFCA during the public comment period.

VI. Attachments

Attach a location map showing the boundaries of the MS4 under the applicant's jurisdiction. The map must include streets or other demarcations so that the exact boundaries can be located.

Are other attachments included with the NOI? If so, indicate the title of the document(s).
VII. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: [Signature]
Printed Name: CHARLES THOMAS
Date: 6/13/15
APPENDIX C – SSCAFCA’S FACILITY MAP
APPENDIX D – JOINT AGREEMENTS
Middle Rio Grande Stormwater MS4 Technical Advisory Group

MEMORANDUM OF AGREEMENT

A COOPERATIVE AGREEMENT, CREATING THE MIDDLE RIO GRANDE MS4 TECHNICAL ADVISORY GROUP, IN SUPPORT OF COMPLIANCE EFFORTS FOR A STORMWATER DISCHARGE PERMITTING SYSTEM FOR THE MIDDLE RIO GRANDE VALLEY IN ACCORDANCE WITH THE FEDERAL CLEAN WATER ACT.

WHEREAS, the United States Environmental Protection Agency (EPA), Region 6 regulates the discharge of stormwater from municipal separate storm sewer systems (MS4s) in New Mexico through the issuance of an MS4 permit for the Middle Rio Grande valley urbanized area under the authority of the National Pollutant Discharge Elimination System (NPDES) regulations (40CFR122); and

WHEREAS, the Middle Rio Grande area is comprised of many diverse local, state, federal and tribal entities, each with separate and distinct authority and responsibilities; and

WHEREAS, the Middle Rio Grande area entities potentially eligible for authorization under the proposed NPDES General Permit No. NMR04A000 (hereinafter “MS4 Permit”), and therefore are eligible to enter into this Memorandum of Agreement (hereinafter “Agreement”) in furtherance of the requirements of the MS4 Permit, are the City of Albuquerque, Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA), University of New Mexico, New Mexico Department of Transportation District 3, Bernalillo County, Sandoval County, Village of Corrales, City of Rio Rancho, Los Ranchos de Albuquerque, Kirtland Air Force Base, Town of Bernalillo, State Fairgrounds/Expo New Mexico, the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), the Eastern Sandoval County Arroyo Flood Control Authority (ESCAFCA), Sandia National Laboratories/Department of Energy, Pueblo of Sandia, Pueblo of Isleta, and Pueblo of Santa Ana (collectively “Stormwater Management Entities”); and

WHEREAS, the proposed MS4 Permit encourages cooperative efforts among separate local, state, federal and Tribal governments to reduce the amount of pollutants discharged with stormwater from the Middle Rio Grande urbanized area MS4s; and

WHEREAS, continued cooperation among the Stormwater Management Entities in the MS4 Permit offers an enhanced opportunity for each entity to remain aware of the requirements in the MS4 Permit and facilitate compliance with conditions of the permit;

NOW, THEREFORE, BE IT AGREED THAT:

1. The signatories to this Agreement (hereinafter collectively referred to as “Parties” and individually referred to as “Party”) support and encourage a cooperative commitment to assist one another with technical issues regarding compliance with the MS4 Permit and agree to form the Middle Rio Grande MS4 Technical Advisory Group (MS4TAG).
2. The purpose of the MS4TAG will be to exchange technical information regarding compliance with the MS4 Permit, exchange ideas among Parties regarding compliance efforts, and exchange information regarding illicit discharges detected within each Party’s jurisdiction. The MS4TAG shall have no binding financial authority and shall be strictly advisory in nature.

3. Nothing in this Agreement shall be construed as obligating a Party to this agreement to expend funds for any purpose, and no Party shall be required to contribute any funds in order to participate in this Agreement. In the event the Parties determine that any joint expenditure of funds among multiple Parties becomes necessary in order to comply with the requirements of the MS4 Permit, a separate agreement shall be entered into between the affected Parties regarding any and all such expenditures at that time.

4. The term of this Agreement shall run from the date the MS4 Permit is issued by the EPA until the date the MS4 Permit is terminated or expires, whichever occurs first. This Agreement may be terminated in its entirety at any time upon the mutual agreement of all of the then-existing Parties to this Agreement. In the event any Party wishes to withdraw from this Agreement without terminating the other Parties’ interests in this Agreement, withdrawal shall become effective upon ninety (90) days prior written notice to the other Parties. Withdrawal shall fully and completely terminate that Party’s interest in and obligations under this Agreement. Following any Party’s withdrawal, this Agreement shall continue in full force and effect as to all remaining Parties to the extent possible.

5. This Agreement does not address the “Public Education and Outreach” or “Cooperative Sampling” sections of the MS4 Permit. Any MS4TAG efforts regarding either of these sections of the MS4 Permit under this Agreement shall be strictly in furtherance of the spirit of cooperation intended among the Parties. Each Party acknowledges its obligations under the “Public Education and Outreach” and “Cooperative Sampling” sections of the MS4 Permit are separate and apart from its activities under this Agreement, and a separate agreement will be required for any collaboration among the Parties with respect to those permit requirements.

6. The Parties will appoint two (2) Co-Coordinators from among the Parties, one of which must be from a Party located within the Bernalillo County geographical area and one of which must be from a Party located within the Sandoval County geographical area. Appointment of a Co-Coordinator shall be by majority vote of the voting Parties, with only those Parties located in the county of Bernalillo voting on the Co-Coordinator from that area, and only those Parties located in the county of Sandoval voting on the Co-Coordinator from that area. Co-Coordinators must be appointed annually in each subsequent permit year, or earlier if the position becomes vacant for any reason. For the New Mexico Department of Transportation District 3, which operates stormwater management facilities in both counties, for the purposes of this section, they shall select one county affiliation in year one of the agreement and alternate affiliations is subsequent years of this Agreement. The Co-Coordinators will be expected to coordinate the Parties’ efforts under this Agreement, including facilitating meetings of the MS4TAG at least monthly for the first year of the MS4 Permit. In years two through five of the permit, the frequency of meetings may be reduced to quarterly with additional meetings called as necessary to discuss issues regarding MS4 Permit compliance.
7. Each Party shall be entitled to one (1) vote on any action items.

8. This Agreement creates no obligations on behalf of any Party to any other Party to this Agreement, including for any requirements imposed or determinations made by EPA. The Parties acknowledge and agree that each shall at all times remain individually liable for full compliance with the requirements of the MS4 Permit, including EPA’s determination regarding the implementation schedule.

9. This Agreement may be modified in writing at any time upon the mutual agreement of the Parties.

10. Parties can be added at any time during the life of this Agreement. A potential future Party’s submittal of a signature page to the Co-Coordinators and approval by the Co-Coordinators shall add the Party to the Agreement.
Approved as to Form:

[Signature]

Bernard P. Metzgar
SSCAFCA Attorney

Date: 10/07/13

Southern Sandoval County Arroyo
Flood Control Authority

Date: 10/18/13

Donald Rudy, Chairman
City of Rio Rancho

Approved as to Form:

[Signature]

City Attorney

Date: 10/1/13

Recommended By:

[Signature]

Dolores Wood, Director

Date: 11/4/13

Approved By:

[Signature]

Keith Riesberg, City Manager

Date: 11/1/13
Approved as to Form:

George Perez
Town of Bernalillo Attorney

Date: 10/15/2013

Mayor Jack Torres, Town of Bernalillo

Date: 10/14/13

Attest: Ida Fierro, Town Clerk

Date: 10/14/13
VILLAGE OF CORRALES

By:  Philip Gasteyer, Mayor  10-08-13  Date

Attest:  Juan Reyes, Village Clerk  10-08-2013  Date
IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed.

Albuquerque Metropolitan Arroyo
Flood Control Authority

Date: 10/24/2013

Tim Eichenberg
Chair of the Board of Directors

Attest:

Bruce Thomson
Secretary/Treasurer

Date: 10/24/13
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE

Date: November 14, 2013

LARRY P. ABRAHAM
MAYOR

(SEAL)

STEHANIE DOMINGUEZ
VILLAGE CLERK
Accepted on behalf of:

U.S. DEPARTMENT OF ENERGY
NATIONAL NUCLEAR SECURITY ADMINISTRATION
SANDIA FIELD OFFICE

By: ___________________________  14 Nov 2013

Geoffrey L. Beausoleil
Manager
MIDDLE RIO GRANDE STORMWATER
MS4 TECHNICAL ADVISORY GROUP
FINAL

Approved as to Form:

Bernard P. Metzgar
ESCAFCA Attorney

Date: 11/14/13

Eastern Sandoval County Arroyo Flood Control Authority

Date: Nov. 19, 2013
Salvador Reyes, Chairman
UNIVERSITY OF NEW MEXICO

Approved by:

David Harris, Executive Vice President

Date: 12/10/13

Recommended by:

Carla P. Domenici, Director
Safety and Risk Services Department
New Mexico Department of Transportation

Approved By:

Timothy L. Parker, M.S., P.E.
NMDOT District Three Engineer

Approved As To Form Only:

Ken Swain, Assistant General Counsel
Office of the General Counsel

Date: 12/23/13

Date: 12/18/2013
BERNALILLO COUNTY

Motion to: Approve a Memorandum of Agreement (MOA) joining the County with other local entities participating in the Middle Rio Grande MS4 Technical Advisory Group (MS4TAG).

Approved this 28th day of January, 2014

BOARD OF COUNTY COMMISSIONERS

Debbie O'Malley, Chair

Art De La Cruz, Vice Chair

Maggie Hart, Member

Lonnie C. Talbert, Member

Wayne A. Johnson, Member

APPROVED AS TO FORM:

County Attorney

Date: 1/28/14

ATTEST:

Maggie Toulouse Oliver, County Clerk

Date: 1/28/14
Approved as to Form:

Patrick F. Trujillo  
Sandoval County Attorney

Date: 1/27/2014

Sandoval County

Date: 2/6/2014  
Phillip Rios, County Manager
Approved as to Form:

David Tourek
City Attorney

Date: 2/4/14

Recommended By:

Michael J. Riosdag, P.E.
Director, Department of Municipal Development

Date: 2/26/14

Approved By:

Robert J. Perry
Chief Administrative Officer

Date: 3/4/14
MIDDLE RIO GRANDE STORMWATER
MS4 TECHNICAL ADVISORY GROUP
FINAL

Memorandum of Agreement accepted on behalf of:

UNITED STATES AIR FORCE
KIRTLAND AIR FORCE BASE

By Eric H. Froehlich, Colonel,
USAF INSTALLATION COMMANDER

Date 28 Dec 15
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

THIS AGREEMENT is made and entered into this 27th day of August, 2008, by and among the County of Bernalillo ("COUNTY"), the City of Albuquerque ("COA"), the Albuquerque Metropolitan Arroyo Flood Control Authority ("AMAFCA"), the New Mexico Department of Transportation ("NMDOT"), the Southern Sandoval County Arroyo Flood Control Authority ("SSCAFCA"), and the Ciudad Soil and Water Conservation District ("CIUDAD"), all political subdivisions of the State of New Mexico, and the University of New Mexico ("UNM"), a state educational institution, individually referred to as "Party" and collectively referred to as "Parties."

WITNESSETH:

WHEREAS, the National Pollution Discharge Elimination System (NPDES) storm water discharge permits for small and large municipal separate storm sewer systems ("MS-4") include a minimum control measure regarding public outreach and education; and

WHEREAS, this minimum control measure requires each permittee to develop and distribute educational materials to the community or conduct equivalent public outreach activities about the impacts of storm water discharges on receiving water bodies and the actions that the public can take to reduce pollutants in storm water runoff; and

WHEREAS, COA, AMAFCA, NMDOT, and UNM, co-permittees of a MS-4 Phase I permit, and the COUNTY, a permittee of a Phase II permit, entered into a Cooperative Agreement dated October 20, 2005 in order to accomplish said public outreach and education, and the group informally became known as the Storm Water Team; and

WHEREAS, the Storm Water Team hired a Storm Water Quality Education Coordinator ("Coordinator") to help develop a public education campaign and produce public service announcements including print materials for distribution, and that contract expires November 2008; and
Intergovernmental Agreement Regarding the Operation, Function, 
and Funding of the Storm Water Team

WHEREAS, SCAFCA desires to combine efforts to educate the public on storm water 
quality as required in their Phase II storm water discharge permit, and to become one of the 
participating agencies of the Storm Water Team; and

WHEREAS, CIUDAD desires to combine efforts to educate the public on storm water 
quality as part of their Watershed Restoration Action Strategy, and to become one of the 
participating agencies of the Storm Water Team; and

WHEREAS, SCAFCA and CIUDAD both desire to provide funding as part of their 
membership to the Storm Water Team; and

WHEREAS, each Party has an interest in reducing pollution and/or meeting storm water 
permit requirements within their respective boundaries, which are shown in Exhibit 1; and

WHEREAS, with new members being added, it is appropriate to enter into this Agreement 
in order to formalize the Storm Water Team mission and function, and establish future funding 
streams.

THEREFORE IN CONSIDERATION OF THE PROMISES AND COVENANTS 
CONTAINED HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

1. The Storm Water Team ("Team") will include all members that have signed a 
Cooperative Funding Agreement, comply with its terms and continue to fund the 
team. Additional non-voting members will include other agencies, organizations, or 
individuals that will provide technical assistance needed to allow the Team to 
accomplish its mission.

2. The Team will serve as the focal point on public education and outreach regarding 
storm water quality in the Albuquerque Reach of the Rio Grande watershed, which is
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

the area that drains to the Rio Grande between Algodones and Isleta Pueblo. The Team mission statement is hereby agreed to by the Parties:

The Storm Water Team is a multi-agency committee dedicated to providing public education and awareness regarding storm water pollution and how to reduce debris and other pollutants in the Albuquerque Reach of the Rio Grande and its tributary arroyos.

3. The Team will have an Executive Committee made up of one voting member from each Party in good standing, which is defined as having paid their expected contribution, as described in Section 4. Each Party in good standing will designate a staff member to be on the Executive Committee. Other staff liaisons will be assigned to the Team as necessary to support the Team mission. Other/outside agencies may participate on the Team by attending meetings and giving input; however, only the Executive Committee may vote on Team decisions. The purpose of the Executive Committee will be to administer and direct the Team and Coordinator in accordance with the provisions herein. Decisions of the Executive Committee will be decided by majority vote of the Executive Committee.

4. Each Party agrees to provide payment for Fiscal Year 2009 in the amount shown in the Contribution Schedule, which may include the value of Executive Committee approved in-kind services, in Attachment A. For subsequent Fiscal Years, the Contribution Schedule may be adjusted by the Executive Committee, including the value of in-kind contributions.

5. AMAFCA will be the fiscal agent for the purposes of this Agreement. All funds will be held in a separate bank account for the purposes of this Agreement. AMAFCA shall make available to any interested Party, all records, receipts, and other
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

documentation with respect to all matters concerning this Agreement. and shall have
this account included in its annual audit.

6. Each Party agrees that a Storm Water Quality Education Coordinator will be hired
through the Request for Proposal (RFP) process in advance of the expiration of the
current Coordinator’s contract. The Coordinator shall be a contractor and not an
employee of AMAFCA. Responsibilities included in the Storm Water Quality
Education Coordination contract will be to develop and manage a comprehensive
educational and awareness campaign, arrange all purchases for deliverables and
advertising on behalf of the Team, and make presentations to the public as directed.
Each Party will have one representative on the Selection Advisory Committee for the
request for proposals process. The Selection Advisory Committee will rank proposals
and recommend the top three respondents to the AMAFCA Board of Directors. Upon
AMAFCA Board of Directors’ approval, AMAFCA will negotiate an agreement with
the selected consultant. The Executive Committee will provide input on scope and
fees; however, final negotiations and approval will be at AMAFCA’s sole discretion.

7. The Parties agree that the Storm Water Quality Education Coordination contract is an
ongoing program. The effectiveness of the Storm Water Quality Education
Coordination contract, with regard to the Team mission statement, will be evaluated
prior to annual renewal(s) or request for proposals.

8. AMAFCA will invoice each Party for their respective participation, minus the
value of any Executive Committee approved in-kind contributions, in July, at the start
of the Fiscal Year. Each Party will pay such invoices to AMAFCA within forty-five
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

(45) days of the date of the invoice. Invoices will be sent to Team members listed in Attachment B.

9. It is intended that the Team’s operation and function described in this Agreement are ongoing, subject to continued support and authorized funding by each of the Parties. Each Party has the option to not participate in this Agreement in the future by sending written notice to all the other participating Parties at or before the expiration of the Fiscal Year. In such event, the terminating Party shall not be entitled to return of any contribution(s) made under this Agreement; and this Agreement shall remain in full force and effect by and among the remaining Parties.

10. The Team may accept one-time contributions from outside funding sources, to be used to support the Team mission. The Executive Committee will consider the requested uses of such one-time contributions and will ensure the uses are consistent with the Team’s ongoing public outreach and education program. Such contributions shall not constitute voting privileges on the Executive Committee.

11. The Parties agree that effort will be expended within the respective boundaries of each participating agency, proportional to funding contributions.

12. If any situation arises which adversely affects any Party’s participation in this Agreement, said Party will immediately, and in writing, notify the other Parties. Any circumstance that materially affects this Agreement will be promptly and equitably resolved by all Parties and if necessary, an amendment to this Agreement shall be executed.

13. The obligations of each Party under this Agreement shall be performed in compliance with all applicable laws, statutes and ordinances. Nothing herein is intended to
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

constitute any agreement for the Parties to perform any activity in violation of the Constitution or Laws of the State of New Mexico or the Ordinances of any entity that is a Party to this Agreement.

14. If any clause or provision in this Agreement is illegal, invalid or unenforceable, under present or future laws effective during the term of this Agreement, then and in that event, it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby.

15. It is specifically agreed among the Parties that this Agreement does not, and is not intended to, create in the public, or any member thereof, any rights whatsoever, such as but not limited to, the rights of a third Party beneficiary, nor to authorize anyone not a Party to this Agreement to maintain a suit for wrongful death or any other claim whatsoever.

16. As among the Parties, each shall be solely responsible for any and all liability from personal injury, including death, or damage to property, arising from any negligent or intentional act or failure to act of the respective Party, its officials, agents, contractors or employees pursuant to this Agreement. Liabilities of each Party shall be subject to the immunities and limitations of the Tort Claims Act, §§41-4-1, et seq., NMSA, 1978, and any amendments thereto. By entering into this Agreement, the COUNTY and its "public employees" as defined in the New Mexico Tort Claims Act, the COA and its "public employees" as defined in the New Mexico Tort Claims Act, AMAFCA and its "public employees" as defined in the New Mexico Tort Claims Act, NMDOT and its "public employees" as defined in the New Mexico Tort Claims Act, UNM and its "public employees" as defined in the New Mexico Tort Claims Act.
Intergovernmental Agreement Regarding the Operation, Function,
and Funding of the Storm Water Team

Act, SSCAFCA and its "public employees" as defined in the New Mexico Tort
Claims Act, and CIUDAD and its "public employees" as defined in the New Mexico
Tort Claims Act, do not waive sovereign immunity, do not waive any defense and/or
do not waive any limitation of liability pursuant to law. No provision in this
Agreement modifies and/or waives any provision of the New Mexico Tort Claims
Act.

17. The effective date of this Agreement shall be the latest date of approval by all of the
interested Parties.

18. Upon approval by all Parties, the covenants, terms and conditions of this Agreement
shall be binding upon and inure to the benefit of the Parties hereto, their successors
and assigns.
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed as of the day and year set forth above.

Albuquerque Metropolitan Arroyo Flood Control Authority

Date: March 20, 2008

Danny Hernandez
Chair of the Board of Directors

Attest:

Tim Eichenberg,
Secretary/Treasurer

Date: March 20, 2008
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

Date: 5/22/05

County of Bernalillo

Thaddeus Lucero, County Manager

Approved As To Form Only:

Deborah Seligman,
Assistant County Attorney

Date: 5/19/2008

Recommended By:

Tom Zduneck
Deputy County Manager
Public Works Division

Date: 5/24/08

BC CCN 2008-0264
Intergovernmental Agreement Regarding the Operation, Function, 

and Funding of the Storm Water Team

City of Albuquerque

Approved As To Form Only:

[Signature]

City Attorney

Date: 5-12-8

Recommended By:

[Signature]

John Castillo, Director

Date: 5/3/02

Approved By:

[Signature]

Dr. Bruce Perlmutter, Chief Administrative Officer

Date: 5/16/08
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

University of New Mexico

Recommended By:

Donna K. Smith
Director, Safety & Risk Services

Date: 4-23-08

Approved As To Form Only:

Richard Mertz
Associate University Counsel

Date: 4/29/08

Approved By:

David W. Harris
Executive Vice President for Administration

Date: 5/1/08
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

New Mexico Department of Transportation

Approved As To Form Only:

[Signature]
Office of the General Counsel
Date: 5/22/08

Approved By:

[Signature]
Larry Velasquez, NMDOT District Three Engineer
Date: 8/28/08
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

Ciudad Soil and Water Conservation District

Date: April 7, 2008

Lauro Silva, Chair
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

Approved as to Form:

[Signature]
Bernard P. Metzgar
SSCAFCA Attorney
Date: 4/18/08

Southern Sandoval County
Arroyo Flood Control Authority

Date: 5/2/08
John Chaney, Chairman
Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

Exhibit 1
Boundaries of Participating Agencies
**Storm Water Team Intergovernmental Agreement – Attachment A**

**STORM WATER TEAM CONTRIBUTIONS**

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<th>Year</th>
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<th>City of Albuquerque</th>
<th>County of Bernalillo</th>
<th>UNM</th>
<th>NMDOT</th>
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**Date received by AMAFCA**

- 12/01/2004
- 04/28/2005
- 12/02/2004
- 07/19/2005
- 05/26/2005

- $5,000 in cash, $2,000 in KNME video

**FY 09 Expected Contributions**

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<td>10,000</td>
</tr>
<tr>
<td>County of Bernalillo</td>
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<tr>
<td>UNM</td>
<td>7,000</td>
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Intergovernmental Agreement Regarding the Operation, Function, and Funding of the Storm Water Team

Storm Water Team Intergovernmental Agreement – Attachment B

STORM WATER TEAM CONTACT ADDRESSES

Christy Burton
AMAFCA
2600 Prospect Ave NE
Albuquerque, NM 87107

cc Irene Jeffries (same address)
on invoices

Storm Drainage Section
Dept. of Municipal Development
Attn: Kathy Verhage
P.O. Box 1293, Rm. 301
Albuquerque, NM 87103

cc Roland Penttila (same address)
on invoices

Vern Hershberger
Safety & Risk Services
1 University of New Mexico
MSC07 4100
Albuquerque, NM 87131

Send original invoices to:
Accounts Payable
1 University of New Mexico
MSC01 1290
Albuquerque, NM 87131

Carol Moritz, Administrative Manager
Ciudad Soil & Water Conservation District
6200 Jefferson NE, Room 125
Albuquerque, NM 87109

Kathy Trujillo
New Mexico Department of Transportation
District 3
PO Box 91750
Albuquerque, NM 87199-1750

cc Mary Murmane (same address)
on invoices

Patricia Dominguez
Bernalillo County
Public Works Division
2400 Broadway Blvd SE
Bldg N
Albuquerque, NM 87102

David Stoliker
SSCAFCA
1041 Commerical N.E.
Rio Rancho, New Mexico 87124
INTERGOVERNMENTAL AGREEMENT

AN INTERGOVERNMENTAL AGREEMENT, CREATING THE MIDDLE RIO GRANDE MS4 COMPLIANCE MONITORING COOPERATIVE, IN SUPPORT OF COMPLIANCE EFFORTS FOR A STORMWATER DISCHARGE PERMITTING SYSTEM FOR THE MIDDLE RIO GRANDE VALLEY IN ACCORDANCE WITH THE FEDERAL CLEAN WATER ACT.

RECITALS

WHEREAS, the United States Environmental Protection Agency (EPA), Region 6 regulates the discharge of stormwater from municipal separate storm sewer systems (MS4s) in central New Mexico through the issuance of an MS4 permit for the Middle Rio Grande valley urbanized area, under the authority of the National Pollutant Discharge Elimination System (NPDES) regulations (40CFR122); and

WHEREAS, the Middle Rio Grande valley urbanized area is comprised of many diverse local, state, federal and tribal entities, each with separate and distinct authority and responsibilities; and

WHEREAS, the Middle Rio Grande valley urbanized area entities that are eligible for authorization under NPDES General Permit No. NMR04A000 (hereinafter “MS4 Permit”), and therefore eligible to enter into this Intergovernmental Agreement (hereinafter “Agreement”) in furtherance of the requirements of the MS4 Permit, are the City of Albuquerque, Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA), University of New Mexico, New Mexico Department of Transportation District 3, Bernalillo County, Sandoval County, Village of Corrales, City of Rio Rancho, Village of Los Ranchos de Albuquerque, Kirtland Air Force Base, Town of Bernalillo, State Fairgrounds/Expo New Mexico, Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), Eastern Sandoval County Arroyo Flood Control Authority (ESCAFCA), Sandia National Laboratories/Department of Energy, Pueblo of Sandia, Pueblo of Isleta, and Pueblo of Santa Ana (collectively “Co-permitees”); and

WHEREAS, the proposed MS4 Permit requires each Co-permittee to obtain and report stormwater compliance monitoring results in their MS4 Annual Report; and

WHEREAS, the proposed MS4 Permit encourages cooperative efforts among the Co-permitees, including compliance monitoring activities, to reduce the amount of pollutants discharged with stormwater into the Rio Grande; and

WHEREAS, cooperation among the Co-permitees in the MS4 Permit through the Middle Rio Grande Compliance Monitoring Cooperative (“CMC”), with regard to monitoring requirements, offers the opportunity to reduce each individual Co-permittee’s monitoring costs by cooperatively developing, funding, and executing a common monitoring plan without reducing the effectiveness of the monitoring plan.
a Members cash contribution, provided however, that participation in the CMC shall not be considered in-kind contributions. The value of in-kind contributions will be determined by the membership of the CMC by equating the value of the service to the cost that would be paid by the membership of the CMC to have the in-kind service performed by a third party (non-CMC member) contractor. The Contribution Schedule is located in Attachment 1 to this Agreement. This Contribution Schedule may be modified by the CMC annually without requiring modification to this agreement, provided however, that it shall be adopted by unanimous vote of the Members. Any funds remaining at the end of the Agreement Year will be carried into the next Calendar Year of this agreement. In such event, the CMC may either elect to retain the excess funds from the prior Calendar Year as a contingency fund, or may lower the annual contribution schedules for that year for all Members in equal proportion, based on the total amount carried forward. In the event a Member does not have the resources to provide full payment for any funds required by the Contribution Schedule, the remaining Members may agree, by unanimous vote, amend the Contribution Schedule if it is in the best interest of the CMC. Each Member’s obligations under this Agreement are contingent upon sufficient appropriations being made therefor by such Member’s governing body sufficient to fulfill such Member’s said obligations. If such appropriations are insufficient to such Member’s obligations hereunder, such Member’s shall promptly notify the other Members, and this Agreement shall terminate forthwith with respect to such Member.

7. **FISCAL AGENT.** The Members shall select one (1) Co-permittee to act as Fiscal Agent for the CMC for the purposes of this Agreement. The Fiscal Agent shall act as the custodian of the CMC’s funds, securities, and property. All funds will be held in a separate bank account for the purposes of this Agreement. All CMC funds shall be deposited promptly by the Fiscal Agent to the credit of the CMC. The CMC shall adhere to the Fiscal Agent’s accounting and procurement procedures, provided such procedures comply with law. The Fiscal Agent shall make available to any interested Member, all records, receipts, and other documentation with respect to all matters concerning this agreement and shall have this account included in its annual audit. The Fiscal Agent shall maintain funds in accordance with all applicable state and Federal statutes. The Fiscal Agent shall be authorized on the CMC’s behalf to sign checks, drafts, or other instruments for payment of money, acceptances, notes, or other evidences of indebtedness, to enter into contracts, or to execute and deliver other documents and instruments. This authority to enter into any contract or negotiated agreement shall be subject to approval by the CMC and subject to any limitations as set forth in this Agreement. Subject to the provisions of this Agreement, no loans shall be contracted on behalf of the CMC and no evidence of indebtedness shall be issued in its name unless authorized by a unanimous vote of the CMC Members. In consideration of the in-kind contributions anticipated from the Fiscal Agent, the total financial contribution requirements of the Fiscal Agent’s Member agency, under any applicable agreement, shall be credited by the sum of one thousand dollars ($1,000.00) for the term of the permit in which that Member serves as the Fiscal Agent.

8. **PAYMENTS.** The Fiscal Agent will invoice each Member for their respective participation, minus the values of any CMC approved in-kind contributions at the start of each member entity’s Fiscal Year. Each Member will pay such invoices to the Fiscal Agent within
standing of the CMC, contracts may be used, with concurrence from all Members of the CMC, that have been issued by Members to perform elements of the monitoring program. If a contractor is used that has been procured by a Member in good standing of the CMC instead of the Fiscal Agent, then, with concurrence of the other Members of the CMC, an entity that is not the Fiscal Agent for the CMC may contract to have the services performed and upon successful completion of the services, submit an invoice, with no mark-up, to the Fiscal Agent for reimbursement. Reimbursement shall only be authorized for reasonable and necessary costs. All contractor’s utilized for the purposes identified in this Agreement shall be procured in accordance with the State Procurement Code. Contractors will be agents of the Member issuing the contract. Other Members of the CMC shall not be bound by the terms of the contract.

13. **EVALUATION.** The Members agree that the Stormwater Monitoring contract is an ongoing program. The effectiveness of the Stormwater Monitoring contract, with regard to permit compliance, will be evaluated by the CMC prior to annual renewal(s) or request for proposals.

14. **LIMITATION ON SAMPLING ACTIVITIES.** The contractor’s scope of services will be limited to the CMC-developed and EPA approved sampling plan and associated reporting. If, in the event of an exceedance during routine monitoring events, additional investigation is required by the EPA to identify the source of a potential contaminant, the CMC may expand monitoring activities to the degree necessary to locate the likely entry point of the potential contaminants. Once the likely entry point is identified, further investigation into the source of the potential contaminant will become the responsibility of the specific Co-permittee(s) having jurisdiction at the location where the likely entry occurred. The CMC shall have no responsibility, fiscal or otherwise, to investigate potential sources of contamination outside of the river or its affiliated Middle Rio Grande Conservancy District-owned water conveyances.

15. **PARTICIPATION AFFECTED.** If any situation arises which adversely affects any Member’s participation in this Agreement, said Member will immediately, and in writing, notify the other Members. Any circumstance that materially affects this Agreement will be promptly and equitably resolved by all Members and if necessary, an amendment to this Agreement shall be executed.

16. **COMPLIANCE WITH GOVERNING LAWS.** The obligations of each Member under this Agreement shall be performed in compliance with all applicable laws, statutes, and ordinances. Nothing herein is intended to constitute any agreement for the Members to perform any activity in violation of the Constitution or Laws of the State of New Mexico or the Ordinances of any Co-permittee that is a Member of this Agreement.

17. **SEVERABILITY.** If any clause or provision of this Agreement is illegal, invalid or unenforceable, under present or future laws effective during the term of this Agreement, then and in that event, it is the intention of the Members hereto that the remainder of this Agreement shall not be affected thereby.
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

Albuquerque Metropolitan Arroyo
Flood Control Authority

Bruce M. Thomson, Chair
Board of Directors

Attest:

Ronald D. Brown, Secretary-Treasurer
Board of Directors

Approved as to Form:

Randy Autio
AMAFCA Attorney

Date: 6/23/16
City of Rio Rancho

Keith Riesberg
City Manager

Approved as to Form:

Jennifer Vega-Brown
City Attorney

Date: 5/27/16

Date for beginning of Fiscal Year: July 1
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

City of Albuquerque

Approved as to Form

Jessica M. Hernandez
City Attorney

Purchasing Approval:

Ramona Martinez
Chief Procurement Officer

Recommended By:

Melissa Lozoya
Director, Department of Municipal Development

Approved By

Robert J. Perry
Chief Administrative Officer

Date for beginning of Fiscal Year: July 1

ATTACHMENT 1

CONTRIBUTION SCHEDULE
County of Bernalillo:

APPROVED BY:

[Signature] 6/28/16
Julie M. Baca  Date
Bernalillo County Manager

RECOMMENDED BY:

[Signature] 6/27/16
Roger A. Paul, P.E.  Date
Deputy County Manager for Public Works

APPROVED AS TO FORM ONLY:

[Signature] 4/24/2016
Deputy County Attorney  Date
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

Village of Los Ranchos de Albuquerque

Kelly Ward
Administrator

[Signature]

Date: 6/21/16
Village of Corrales

Scott A. Kowiniak, Mayor

Jennifer L. Vizen, Village Clerk

John L. Appel
Coppler Law Firm P.C.
Village of Corrales Attorney

Date for beginning of Fiscal Year: July 1

5/26/16
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

Town of Bernalillo

[Signature]  
Jack Torres, Mayor  
Board of Directors  

5/23/2016  
Date

Attest:

[Signature]  
Ida Fierro, Town Clerk

Date for beginning of Fiscal Year: July 1
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

Southern Sandoval County Arroyo Flood Control Authority

James Fahey, M.D., Chair
Board of Directors

Date: 5/20/10

Approved as to Form:

Bernard Metzgar
SSCAFCA Attorney

Date: 5/20/10

Date for beginning of Fiscal Year: July 1
MIDDLE RIO GRANDE STORMWATER
MS4 COMPLIANCE MONITORING COOPERATIVE
INTERGOVERNMENTAL AGREEMENT
FINAL

04-26-2016

EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

Sandoval County, New Mexico
Flood Control Authority

Phillip Rios
County Manager

[Signature]

5/16/2016

Date

Approved as to Form:

[Signature]

Patrick Trujillo
Sandoval County Attorney

Date: 5/16/2016

Date for beginning of Fiscal Year: July 1
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

New Mexico Department of Transportation - District 3

Approved as to Form:

[Signature]

Office of the General Counsel

6-29-2016

Date

Approved By:

[Signature]

Kenneth Murphy, NMDOT District Three Engineer

7-1-16

Date

Date for beginning of Fiscal Year: July 1
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES
WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

University of New Mexico

David W. Harris
Executive Vice President for Administration, COO & CFO

Approved:

Carla P. Domenici
Director, Safety and Risk Services

Approved as to Form:

Elsa K. Cole, Esq.
University Counsel

Date for beginning of Fiscal Year: July 1

ATTACHMENT 1

CONTRIBUTION SCHEDULE
EACH ENTITY WILL EXECUTE AGREEMENT INDIVIDUALLY. SIGNATURE PAGES WILL BE CONSOLIDATED INTO SINGLE DOCUMENT

Eastern Sandoval County Arroyo Flood Control Authority

Sal Reyes, Chair  
Board of Directors

Date:  
May 25, 2016

Attest:

Ida Fierro, Secretary  
Board of Directors

Approved as to Form:

Bernie Metzgal
ESCAFCA Attorney

Date: ____________________________
# ATTACHMENT 1

## Sampling Cooperative Cost Allocation Determination (CAD) Tool

28-Apr-16

| Number | Participant             | | | | | ENTITY PAYMENT | FISCAL AGENT CREDIT ($1k) |
|--------|-------------------------|---|---|---|---|---|---|---|
| 1      | City of Albuquerque     | $ 132,000.00 | 1.38 | $ 45,574.50 | $45,600.00 |
| 2      | AMAFCA                  |               | 0.43 | $ 14,319.39 | $14,400.00 | $ (1,000.00) |
| 3      | UNM                     |               | 0.41 | $ 13,553.53 | $13,600.00 |
| 4      | NMDOT                   |               | 0.12 | $ 3,865.56  | $3,900.00  |
| 5      | Bernalillo County       |               | 0.59 | $ 19,549.95 | $19,600.00 |
| 6      | Sandoval County         |               | 0.46 | $ 15,094.20 | $15,100.00 |
| 7      | Village of Corrales     |               | 0.04 | $ 1,393.20  | $1,400.00  |
| 8      | City of Rio Rancho     |               | 0.42 | $ 13,997.46 | $14,000.00 |
| 9      | Los Ranchos de Albuquerque |              | 0.02 | $ 705.79    | $1,000.00  |
| 10     | Town of Bernalillo      |               | 0.03 | $ 903.81    | $1,000.00  |
| 11     | ESCAFCA                 |               | 0.01 | $ 338.88    | $500.00    |
| 12     | SSCAFCA                 |               | 0.08 | $ 2,703.72  | $2,900.00  |
|        | Ratio Check (Sum = Weighting Factor) | | 4.00 | | | $132,000.00 |
APPENDIX E – WET WEATHER MONITORING PLAN
Southern Sandoval County Arroyo Flood Control Authority
Cooperative Monitoring Plan – MS4 Watershed-based permit
December 17, 2015

Sampling must be conducted at a minimum of seven (7) events per sampling location during the permit
term with at least three (3) events in the wet season and two (2) events in the dry season. Seasonal
monitoring periods are the Wet Season: July 1 – October 31 and Dry Season: November 1 – June 30.
Monitoring methodology for both seasons will consist of collecting a minimum of four grab samples
spaced at a minimum interval of 15 minutes each. Individual grab samples for each sampling location,
will be preserved and combined into a single composite sample at the laboratory.

Qualifying Storm Event

Due to the nature of rainfall in the middle Rio Grande Valley, the MS4s are proposing that a qualifying
event be defined as a 0.25-inch or greater storm anywhere in the watershed that creates a discharge to
the Rio Grande. Additionally, no antecedent dry period will be required in order to ensure that a
sufficient number of qualifying events are available for sampling.

In order to determine whether or not a qualifying storm event has occurred, the MS4s may use a variety
different data sources for representative locations within the watershed to identify the qualifying
storm event. Sources for determining a qualifying storm event may include, CoCoRahs,
wundermap.com data, calibrated National Weather Service radar, and/or USGS weather data based on
rainfall measurements taken within the watershed.

Wet Weather Monitoring (Wet Season: July 1 – October 31/Dry Season: November 1 – June 30)

Wet weather monitoring gathers information on the response from the receiving waters to wet weather
discharges. The following parameters must be sampled: TSS, TDS, COD, BOD5, DO, TPH/oil, E.coli, pH,
total kjeldahl nitrogen, nitrate plus nitrite, dissolved phosphorus, ammonia plus organic nitrogen,
phosphorus, PCBs and gross alpha. DO, pH, conductivity, and temperature must be analyzed in the field
within 15 minutes of sample collection.

Sampling Locations

Rio Grande (NORTH)- In stream sampling within the Rio Grande will be performed upstream of the
Angostura Diversion Dam at the north end of the water shed (upstream or background).

Rio Grande (SOUTH) – In stream sampling within the Rio Grande will be performed at the Isleta Bridge at
the south end of the watershed and downstream of all inputs from the Urban Area to the river to
provide the downstream water conditions.

These locations have been identified and are proposed to meet the permit requirements as identified in
Part III.A. These up and down stream sample locations capture all inputs to the river within the
Urbanized Area. See Attachment 1 for a map of sampling locations.

Sample Collection
The greatest difficulty the MS4s will have in sample collection are the logistics for collecting the sample(s) and getting them to the laboratory within the required holding time limitations for each sample type, particularly E.coli. In order to expedite this process, the MS4s are proposing the following actions:

1. On days where rainfall in excess of the qualifying storm event are predicted to take place within a timeframe where an in-stream sample can be collected and delivered to the laboratory in time to meet holding time requirements, the upstream sample (Angostura Diversion Dam) will be collected by noon (12:00 PM) on the day of the predicted event.

2. After collection of the upstream samples, the e coli sample will be submitted to the laboratory for analysis and the remaining samples will be preserved as required and held until the determination can be made regarding whether or not there is a Qualifying Storm Event.

3. When a Qualifying Storm Event is anticipated within the watershed, a river staging timing methodology will be used to identify the proper time for the sample to be taken from the downstream location(s) per Table 1. For example, if it typically takes one hour for water from the North Diversion Channel to reach the Isleta Bridge sampling location, then the sample will be taken one hour after the discharge from the NDC has occurred.

4. Upon collection of the downstream sample(s) from the Isleta Bridge location, the e coli sample(s) will be taken to a laboratory for analysis and the balance of the samples will be preserved, as required, and held until the determination can be made regarding whether or not there is a Qualifying Storm Event.

5. In the event that a Qualifying Storm Event is NOT recorded, all non-e coli samples will be dumped and not analyzed. In the event a Qualifying Storm Event is recorded, samples (upstream and downstream) will be submitted to a laboratory for analysis.

During sample collection, the sampler shall maintain a log book recording the site conditions at the time of sampling, actions taken to collect the samples, and any other pertinent information that may be relevant to the sample event. All collected samples shall have a chain-of-custody form associated with each sample container. This chain-of-custody form shall be maintained by the sampler until the sample is delivered to the laboratory for analysis. Greater detail will be contained in the Quality Assurance Program Plan (QAPP) that will be developed for this plan.
Example CoCoRaHS Rain Gages and Assumed Travel Times for Sampling Stormwater Events in Watershed

<table>
<thead>
<tr>
<th>Zonal Segments of River (north to south travel times)</th>
<th>Western Side of Watershed (west to east travel times)</th>
<th>Eastern Side of Watershed (east to west travel times)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.4 hours: Rio Grande at Angostura to Rio Grande at Alameda</td>
<td>3 hours --&gt; 1.5 hours --&gt;</td>
<td>1.5 hours --&gt; 7.4 hours --&gt; &lt;= 20 min. &lt;= 40 min.</td>
</tr>
<tr>
<td>4.4 hours: Rio Grande at Alameda to Rio Grande at Central</td>
<td>RM-Br-113 RM-Br-144</td>
<td>RM-Br-71 RM-Br-162</td>
</tr>
<tr>
<td>5.2 hours: Rio Grande at Central to Rio Grande at Isleta 147 Bridge</td>
<td>RM-Br-159 RM-Br-104</td>
<td>RM-Br-150 RM-Br-41</td>
</tr>
</tbody>
</table>

TABLE 1 – HYDROGRAPH TIMING FOR RAIN EVENTS TO SOUTHERN SAMPLING POINT

Rainfall information associated with the above Station Numbers can be obtained from the Community Collaborative Rain, Hail and Snow Network website (www.cocorahs.org). The Station Numbers provided in the table are for representative purposes only. The actual CoCoRaHS rainfall data utilized to confirm a Qualifying Event will be from the appropriate zone in the watershed but may not be from the exact Station Number listed in the table.

Response to Monitoring Results
In the event of an exceedance, the MS4 Sampling cooperative will examine all meteorological and stream gauge data available and correlate rainfall event/timing with sampling timing to determine the most likely source location and discharge point to the river. Once the most likely source location has been determined, MS4s will cooperatively develop a pollutant-specific response plan whose elements may include a review of land use for potential sources of the specific pollutant exceeded or enhanced public outreach and education to specific user or industry groups.

In the event of rainfall in the same distribution as the storm event associated with the exceedance, additional sampling may be conducted to monitor for potential sources, if appropriate. Only the constituent(s) identified in the exceedance will be analyzed.

Sample Collector Training Requirements
Any person collecting samples for compliance purposes shall be trained in the proper technique for collecting stormwater samples. Experience in the collection of stormwater samples may be considered in lieu of receiving formal training in sampling requirements. Greater detail will be contained in the QAPP that will be developed for this plan.

Sample Analysis
After a sample collection event has been performed, the validity of the qualifying storm event must be determined before the samples can be counted as an official sample event. However, since the holding
time for the E.coli is so short, the MS4s are proposing analyzing the E.coli samples prior to determining the validity of the storm event as a qualifying storm event. The balance of the samples will be held until the determination of the storm event as qualifying can be made. In the event that the storm event is deemed qualifying, the remaining samples will be run for the required parameters. If an event is deemed by an analysis of rainfall data to be non-qualifying, the results from the E.coli samples will be kept but not reported as part of the official sampling event for permit compliance and the preserved samples will be appropriately discarded without analysis.

Field obtained results (D.O., pH, and temperature) will be handled in a similar fashion as E.coli sampling results. In the event the storm is deemed qualifying during the review of rainfall data, the results from these field obtained measurements will be reported with the balance of the sample results. If the storm event is deemed non-qualifying, these results will be kept but not reported for permit compliance.

**QAPP**

All sampling collection and analysis shall conform to the QAPP to be developed for the sampling program in accordance with Part III.A.5.b and III.Q. of the permit and the methods specified at 40 CRF §136.

**Monitoring Records**
A QAPP will be developed, conforming to Part III.P requirements.

**Permittees Cooperating in Monitoring Program**
- City of Albuquerque
- Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA)
- University of New Mexico (UNM)
- New Mexico Department of Transportation (NMDOT)
- Bernalillo County
- Sandoval County
- Village of Corrales
- City of Rio Rancho
- Los Ranchos de Albuquerque
- Town of Bernalillo
- Eastern Sandoval County Arroyo Flood Control Authority
- Southern Sandoval County Arroyo Flood Control Authority