SANTA FE COUNTY
NATIONAL POLLUTION
DISCHARGE ELIMINATION SYSTEM

Notice of Intent
MS4 Stormwater Management Plan and
Program Description

July 2009
Revised August 2010
Revised March 2011
Revised March 2013

SANTA FE COUNTY
Building and Development Services Division
P.O. Box 276
102 Grant Avenue
SANTA FE, NEW MEXICO 87504

NOTICE OF INTENT

1. Legal Name of the MS4 Operator: Santa Fe County
   Mailing Address: Santa Fe County
   Building and Development Services Division
   P.O. Box 276
   102 Grant Avenue
   Santa Fe, New Mexico 87504

   Contact Person: Paul Kavanaugh, Engineering Associate, Public Works Dept.

   Telephone Number: 505.992.3026
2. Operator is a ☐ Federal ☐ State ☐ Tribal ☒ other public entity (check one)
3. The MS4 is located in _Santa Fe County; in and the latitude and longitude of the approximate center of the small MS4 is: Lat: 35.636972°N/Long.:-105.919597°W
4. The major receiving water(s) are the Rio Grande, the Santa Fe River, the Estancia Basin, and the Pecos River. Does the MS4 discharge to any waters for which a TMDL applicable to discharges from the MS4 has been approved ☐ Yes ☐ No ☐ N/A? (See Part 1.4.8)
5. The MS4 ☐ is ☐ is not ☒ is partially located on Indian Country lands. If so, the Indian Country Lands include the following: Tesuque Pueblo, Nambe Pueblo, San Ildefonso Pueblo, and Pojoaque Pueblo. (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 8.)
6 If the MS4 operator is relying on another governmental entity to satisfy one or more permit obligations (see Part 5.4), the identity of that entity(ies) and the element(s) the entity(ies) will be implementing __ N/A___ Required information attached.
7. A description of the storm water management program (SWMP), including best management practices (BMPs) that will be implemented and the measurable goals for each of the storm water minimum control measures specified in Part 5.2 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, and the supporting documentation required by Parts 1.5 and 1.6 is attached.
8. *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 a fine and imprisonment for knowing violations.*

Signed: Katherine Miller Date: April 1, 2013

Printed Name: Katherine Miller

Attachments

1. Description of the storm water management program (SWMP), including best management practices (BMPs) that will be implemented and the associated measurable goals.
2. Summary of issues raised in any local public comments received by the MS4 Operator on the draft NOIISWMP and MS4 operator's responses.
3. Description of how the Part 1.5 eligibility criteria for listed species and critical habitat have been met (see Part 1.5 and Appendix A).
4. Description of how the Part 1.6 eligibility criteria for historic properties have been met (see Part 1.6 and Appendix B).
5. If the MS4 discharges to a receiving water for which EPA has approved or developed a TMDL, describe how the eligibility requirements of Part 1.4.6 have been met.

MS4 Stormwater Management Plan and Program Description

Table of Contents

SUMMARY 1

PART 1 COVERAGE UNDER THIS GENERAL PERMIT 8

1.1 Permit Area 8
1.2 Eligibility 8
1.3 Non-Storm Water Discharges 9
1.4 Limitations on Coverage 10
1.5 Endangered Species Act (ESA) Eligibility Provisions 11
1.6 National Historic Preservation Act (NHPA) Eligibility Provisions 13

PART 2 AUTHORIZATION UNDER THIS GENERAL PERMIT 14

2.1 Obtaining Permit Coverage 14
2.2 Terminating Coverage 14

PART 3 NOTICE OF INTENT REQUIREMENTS 16

3.1 Deadlines for Notification 16
3.2 Contents of Notice of lntent 16
3.3 Where to Submit 17
3.4 Co-Permittees Under a Joint SWMP 17

PART 4 SPECIAL CONDITIONS 18

4.1 Compliance with Water Quality Standards 18
4.2 Total Daily Maximum Loads (TMDLs) Allocations Established after Permit Issuance 18

PART 5 STORM WATER MANAGEMENT PROGRAM (SWMP) 19

5.1 General Requirements 19
5.2 Minimum Control Measures 19
5.2.1 Public Education and Outreach on Storm Water Impacts 19
5.2.2 Public Involvement/Participation 20
5.2.3 Illicit Discharge Detection and Elimination 21
5.2.4 Construction Site Storm Water Runoff Control 22
5.2.5 Post-Construction Storm Water Management in New Development and Redevelopment 24
5.2.6 Pollution Prevention/Good Housekeeping for Municipal Operations 25
5.3 Qualifying State, Tribal or Local Program 26
5.4 Sharing Responsibility 26
5.5 Reviewing and Updating SWMPs 26
5.6 Monitoring and Assessment 28
5.7 Recordkeeping 29
5.8 Annual Reports 30

PART 6 STANDARD PERMIT CONDITIONS 32

6.1 Duty to Comply 32
6.2 Duty to Reapply 33
6.3 Continuation of the Expired General Permit 33

6.4 Need to Halt or Reduce Activity Not a Defense 34
6.5 Duty to Mitigate 34
6.6 Duty to Provide Information 34
6.7 Other Information 34
6.8 Signatory Requirements 34
6.9 Property Rights 35
6.10 Proper Operation and Maintenance 36
6.11 Inspection and Entry 36
6.12 Permit Actions 36
6.13 Permit Transfers 36
6.14 Anticipated Noncompliance 36
6.15 State/Tribal Environmental Laws 37
6.16 Severability 37
6.17 Procedures for Modification or Revocation 37
6.18 Requiring an Individual Permit or an Alternative General Permit 37

PART 7 DEFINITIONS 39

PART 8 PERMIT CONDITIONS APPLICABLE TO SPECIFIC AREAS OR INDIAN COUNTRY LANDS 43

List of Figures

NPDES MS4 Santa Fe County Map (Attached)

List of Tables

Table 5.2.1 Public Education and Outreach on Storm Water Impacts
Table 5.2.2 Public Involvement/Participation
Table 5.2.3 Illicit Discharge Detection and Elimination
Table 5.2.4 Construction Site Storm Water Runoff Control
Table 5.2.5 Post-Construction Storm Water Management in New Development and Redevelopment
Table 5.2.6 Pollution Prevention/Good Housekeeping for Municipal Operations

List of Appendices

Appendix A Endangered Species Eligibility Procedures
Appendix B Historic Properties Eligibility Procedures
Appendix C Suggested Notice of Intent Format
Appendix D Suggested Annual Report Format
Appendix E Providing Comments or Requesting a Public Hearing on an MS4 Operator's NOI

SUMMARY

In order to comply with the National Pollution Discharge Elimination System (NPDES) regulations governing small municipal separate storm sewer systems (MS4s), Santa Fe County is submitting a Stormwater "Plan" as a Notice of Intent (NOI) with the United States Environmental Protection Agency (USEPA) to obtain a required permit for the discharge of pollutants/storm-water into a section of the Santa Fe River, including its tributary arroyos. This document must be submitted to the Environmental Protection Agency (EPA). The County has five years to implement the Plan before the permit expires.

As the operator of medium and small separate storm water sewer system (MS4), Santa Fe County, must develop a plan and implement and enforce a stormwater management program to reduce the discharge of pollutants from all sources to the "maximum extent practicable" (MEP) through the use of Best Management Practices (BMPs). Santa Fe County's system includes the Santa Fe River and tributary arroyos.

Santa Fe River Watershed

The Santa Fe River is a tributary of the Rio Grande in northern New Mexico. The watershed of the Santa Fe River is defined as Hydrologic Unit Area (HUA) #1302020103. It forms the central

one-third of the Rio Grande/Santa Fe watershed and is indentified in New Mexico's unified watershed assessment as a Category 1 Watershed---one of the State's watersheds in the most urgent need of restoration.

As stated in the Santa Fe River Watershed, Restoration Action Strategy (Santa Fe Watershed Association 2002), the Santa Fe River watershed is comprised of approximately 285 square miles, with a reach length of some 46 miles. Several perennial springs exist within the Santa Fe River watershed, importantly those that support irrigation in La Cienega and baseflow in the Santa Fe Canyon above the Village of La Bajada. The Santa Fe River and its tributary Cienega Creek are the only regularly flowing steams in the Santa Fe River watershed. Through the urban reach, the Santa Fe River is typically a dry, dewatered channel except during snowmelt and monsoonal storm events. The New Mexico Environment Department (NMED) Surface Water Quality Bureau funded the Santa Fe River Watershed Restoration Action Strategy (See Exhibit A; WRAS).

Water quantity and quality are major issues in the watershed, particularly in urbanized and urbanizing areas. In the Santa Fe County Urban Area of the Santa Fe River Watershed numerous large dry arroyos typify conditions experienced in the Santa Fe River, these arroyos only flow during times of snow melt or during storm events. The larger of these tributaries in the jurisdiction of Santa Fe County include the Arroyo De Los Chamisos, and Arroyo Hondo. These arroyos are within the County's urban area as identified by the map provided by the NMED. Management of these contributing tributaries is essential for establishing a healthy watershed.

The Santa Fe River watershed includes major tributary arroyos as noted. This NPDES plan is based on a systems approach that will address the issues and problems of the Santa Fe River watershed as a whole, and the plan and implementation will examine each of the major tributaries and described herein:

Arroyo Hondo

The Arroyo Hondo is a major tributary of the Santa Fe River which develops in the western foothills of the Sangre de Cristo Mountains in elevations between 6,500 and 8,000 feet. The Arroyo Hondo is ephemeral with no perennial flows, much the same as the Santa Fe River with a drainage area of some 40 square miles. The Cienega River is a tributary to the Arroyo Hondo, and the Cienega River will be managed along with the Arroyo Hondo. The Arroyo Hondo converges with the Santa Fe River near the Traditional Historic Community of La Cienega. Per the 2008 Flood Insurance Study prepared by the Federal Emergency Management Agency the 100-year flow in the Arroyo Hondo at its confluence with the Arroyo de Los Chamisos is 6,710 cubic feet per second. The majority of future growth in Santa Fe County will occur in the Arroyo Hondo watershed, and this growth will be carefully monitored by the Growth

Management Department, both the Planning and Building and Development Services Divisions for compliance to this plan as well as for compliance to the Sustainable Land Development Code upon adoption of these documents.

Arroyo de los Chamisos

The Arroyo De Los Chamisos is a major tributary of the Santa Fe River which develops in the western foothills of the Sangre de Cristo Mountains in elevations between 6,500 and 6,000 feet. The Arroyo De Los Chamisos is ephemeral with no perennial flows, much the same as the Santa Fe River, with a drainage area of some 26 square miles. The Arroyo de Los Chamisos is a tributary to the Arroyo Hondo and converges with the Arroyo Hondo near the State Route 599 and Interstate 25. Per the 2008 Flood Insurance Study prepared by the Federal Emergency Management Agency, the 100-year flow rate in the Arroyo de los Chamisos (at its confluence with the Arroyo Hondo) is 7,080 cubic feet per second. The majority of the Arroyo De Los Chamisos watershed lies within the jurisdiction of the City of Santa Fe; point source discharges below the presumptive City limits are quantified herein and will be monitored by Santa Fe County's Building and Development Services Division as part of the Development Permit Application Process.

Watershed Analysis and Assessment

The County's general analysis and assessment of the urban area of the Santa Fe River watershed and tributary watersheds will be based on the following areas of concern and potential sources of pollution:

- Physical watershed characteristics
- Climate conditions
- Land uses
- Topography
- Population characteristics
- Historic neighborhoods and traditional communities
- Projected growth rates and trends and land uses
- Paved roads
- Existing sand & gravel operations within or along the banks of the Santa Fe River or identified tributaries on private, state and BLM lands
- Litter and illegal dumping within the Santa Fe River Watershed
- Illicit discharge including discharge of specific quantities from water line flushing, landscape irrigation, diverted stream flow, uncontaminated ground water infiltration,

uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensate, irrigation water, springs, individual residential car washing, discharges from riparian habitats and wetlands, de-chlorinated swimming

- Anticipated population growth based on growth management process

This application includes best management practices (BMPs) for each of the six following minimum control measures:

- Public Education and Outreach on Stormwater Impacts Minimum Control Measure
- Public Participation/Involvement Minimum Control Measure
- Illicit Discharge Detection and Elimination Minimum Control Measure
- Construction Site Stormwater Runoff Control Minimum Control Measure
- Post Construction Stormwater Management in New Development/Redevelopment Minimum Control Measure
- Pollution Prevention/Good Housekeeping Minimum Control Measure

The City of Santa Fe, the New Mexico National Guard, the Bureau of Land Management and the New Mexico State Land Office have properties within the County boundaries of the Urban Area Census 2000. Information collected by the Census has been augmented by recent demography being done in association with the preparation of the Growth Management Plan and Sustainable Land Development Code. These federal and state agencies are responsible for complying with NPDES requirements for their own properties. In addition, there is an existing County sewer facility within the area. Stormwater runoff associated with the facility does not make it to the Santa Fe River Watershed, however runoff or emergency overflows (should any occur) are monitored and mitigated by the Santa Fe County Utility Division.

Legal Authority

Santa Fe County is currently revising our Land Use Code, creating a Sustainable Land Use Code which will codify in the form of an ordinance County authority to control the quality of separate stormwater discharge to its stormwater sewer system. This includes runoff discharges into public rights-of-way (streets). The County's authority will address both industrial and municipal discharges. Santa Fe County has both the fiscal authority and legal resources to successfully and fully implement this Stormwater Management Plan.

Mission and Goals

The mission and goal of the Santa Fe County program and as mandated by the Environmental Protection Agency's (EPA) National Pollution Prevention Discharge Elimination System (NPDES) MS4 Stormwater Program is as follows:

- Implement a nationwide stormwater management program to control pollutant discharges from MS4s into the nation's waterways.
- Protect water quality and satisfy the mandates of the Federal Clean Water Act.

Santa Fe County currently uses and intends to maintain a watershed approach when designing and approving projects to meet these goals and at the same time to achieve the following related goals and overall objectives through our individual Stormwater Program:

- Reduce the discharge of pollutants to the County's MS4s "to the maximum extent practicable;"
- Protect surface water quality by infiltrating stormwater runoff; which has the added benefit of groundwater recharge;
- Comply with water quality requirements of the Clean Water Act as measured by the total maximum daily loads (TMDLs) in the Santa Fe River (TMDLs) including sediment and stream thalweg deposits;
- Protect, enhance and restore wildlife habitat and vegetation along the Santa Fe River and tributary arroyos, minimizing any undesirable effects;
- Minimize the threat of flooding and erosion through the 2008 adoption of a No Adverse Impact Floodplain and Stormwater Management Ordinance;
- Use off-site and on-site stormwater discharge and conveyances to create and enhance open space, trails and parks;
- Educate the public to consider stormwater as a utilizable resource; and develop and distribute educational materials to County staff, builders, contractors and land developers;
- Initiate projects with Federal Emergency Management Agency (FEMA) to clarify or correct floodplain boundaries, for sections of the Santa Fe River including requesting Letter of Map Revisions (LOMRS) & Conditional Letter of Map Revisions (CLOMRS) and conduct Flood Insurance Restudies where appropriate;
- Obtain additional open space along the Santa Fe River whenever possible in order to further protect the River habitat;
- Implementation of minimum setback from all watercourses to reduce stormwater pollution potential.

- Improve regulatory process on existing and proposed commercial and industrial development.
- Indentify critical riparian areas and protect through ordinance adoption.

Specifics of the Regulations

- As the operator of a regulated MS4 the County must implement a stormwater quality management program which, at a minimum, will address the six minimum control measures as delineated in the NPDES regulations established by the EPA.
- As the operator of a regulated MS4 the County must determine which Best Management Practices (BMPs) are appropriate, goals to be attained, and how the success of the BMP will be evaluated and monitored.
- The County must submit its Plan to the EPA. The County shall have five years to implement the plan, and the County's permit shall expire in five years and will require updates as set forth by the EPA.
- The EPA shall have the authority to require the County implement additional measures if the EPA so determines such additional measures are required.

Monitoring and Compliance Area

The SWMP incorporates all areas within unincorporated Santa Fe County a total area of 1909.19 square miles, of this area some 40 square miles lies within the jurisdictional limits of the City of Santa Fe, and another 13.25 square miles will be annexed by the City by 2012 with City jurisdiction of this entire area becoming effective in August of 2009. Tribal lands encompass some 133 square miles for a total remaining area under County jurisdiction of 1722.95 square miles. This includes: The Village of Agua Fria, The Village of La Cienega, Village of Lamy, Village of Cerrillos, Village of Madrid, and the Village of Galisteo. Santa Fe County has an estimated 143,937 residents, based on census data from 2008 prepared by the U.S. Census bureau.

Santa Fe County has some 576.04 miles of County maintained roadways, with a variety of surface treatments as follows:

Total Subdivision Roads	172.07 miles
total asphalt	35.87 miles
total basecourse	73.73 miles
total chipseal	27.11 miles
total dirt	29.76 miles
total gravel	1.31 miles
total cold millings	4.29 miles

Total Other Roads	403.97 miles
total asphalt	131.45 miles
total basecourse	25.51 miles
total chipseal	18.05 miles
total gravel	1.38 miles
total cold millings	10.54 miles
stabilized dirt	0.00 miles
total dirt	217.04 miles
Total Maintained Roads	576.04 miles

Santa Fe County has limited storm drain outfalls discharging into intermittent water courses ("arroyos"), with potential access to the waters of the United States. All storm drain outfalls are privately owned and operated; the County has neither public storm drain system nor public storm drain facilities. Sanitary sewer operations owned and maintained by Santa Fe County (2) have current Discharge Permits for these facilities are maintained by the Utility Division. (Exhibit L) As public systems are constructed through implementation of the County's Capital Improvement Program these systems will be required to be designed, constructed and maintained in a manner consistent with NPDES criterion by the Public Works Department. The Sustainable Growth Management Plan, adopted by Resolutions 2010-210 and 2010-225 provides a plan of approach for the development of public stormwater conveyance systems to augment sustainability and reduce stormwater pollution. (Exhibit I, Section 11.4)

Reporting Requirements

Santa Fe County, Building and Development Services Division, will submit the required report annually during the first five year term of the MS4 permit cycle. The report will include the status of compliance with the permit conditions and assessment of the suitability of the BMP's selected and progress towards achieving the measurable goals for each of the six minimum control measures. A summary of the activities undertaken during the reporting cycle and any changes to this plan or its measurable goals and all relevant data obtained during the reporting period will be contained in this report.

PART 1 COVERAGE UNDER THIS GENERAL PERMIT

1.1 Permit Area

The permit language is structured as if it were a single permit, with State, Indian Country Land or other area-specific conditions contained in Part 8. Permit coverage is actually provided by legally separate and distinctly numbered permits, all of which are contained herein, and which each cover one of the areas listed below. Note: EPA can only provide permit coverage for areas and classes of discharges not within the scope of a State's NPDES authorization. For discharges not described in an area of coverage below, please contact the appropriate State NPDES permitting authority to obtain a permit.

Permit Number	Areas of Coverage
OKR04000I	Indian Country Lands within the State of Oklahoma
NMR04000I	Indian Country lands within the State of New Mexico, except Navajo Reservation lands and Ute Mountain Reservation lands[1] and also the Pueblo of Sandia[2].
NMR040000	The State of New Mexico, except Indian Country Lands

1.2 Eligibility

1.2.1 *Primary Coverage:* This permit authorizes the discharge of storm water from small municipal separate storm sewer systems (MS4s) provided the MS4:

1.2.1.1 Is located fully or partially within an urbanized area as determined by the 2000 Decennial Census. Maps of Census 2000 urbanized areas are available at:
http://cfpubl.epa.gov/npdes/stormwater/urbanmaps.cfm, or

1.2.1.2 Is designated as a regulated small MS4 pursuant to 40 CFR 122.32.

1.2.2 *Secondary Coverage:* 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. The permittee must include the boundary of areas covered by the permit in the MS4 map required under Part 5.2.3.2.

1.2.3 *Providing for Public Participation and Access to Documents:* To be eligible for this permit, the operator of the MS4 must:

1.2.3.1 At least sixty (60) days prior to submission of the NOI, provide local public notice of and make available for public review a copy of the complete NOI and attachments (see Part 3.2).

[1] Navajo Reservation lands are administered by EPA Region 9 and Ute Mountain Reservation lands by EPA Region 8.

[2] The Pueblo of Sandia denied CWA §40 I certification of the general permit. Operators of MS4s discharging within the Pueblo of Sandia must file an individual permit application.

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.

1.2.3.2 Following permit coverage, make copies of the SWMP, and Annual Reports available 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. The MS4 operator is also encouraged to make the documents available on the Internet. 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 and Annual Reports. (See Part 5.8.1)

1.2.4 *Responses to Public Comment on the NOI:* To be eligible for this permit, the operator of the MS4 must:

1.2.4.1 Provide the MS4's responses to any unresolved public comments on the NOI received either by the MS4 during local participation and involvement efforts, or by EPA during EPA's public participation process (see Appendix E), to EPA within thirty (30) days of the Director's request. Responses provided by the MS4 will be considered as part of EPA's decision-making process.

1.2.4.2 Modify, or include a schedule to modify, the SWMP as necessary after consideration of the public comments on the NOI or as required by the Director in response to such comments.

1.3 Non-Storm Water Discharges

1.3.1 The permittee must prohibit all types of non-storm water discharges into its MS4 unless the discharges are authorized by a separate NPDES permit, are not required to have a NPDES permit, or are addressed under Part 1.3.2.

1.3.2 The following categories of non-storm water discharges need not be prohibited if the permittee determines that they are not significant contributors of pollutants to the MS4, either because of the nature of the discharge or requirements placed on the discharger as a condition for discharging into the MS4. The permittee's list of "allowable" non-storm water discharges and documentation on their selection must be included in the SWMP, If any of the following categories of discharges are identified as a significant contributor by either the permittee or the Director, the permittee must address the category as an illicit discharge as specified in Part 5.2.3 of this permit:

- Water line flushing,
- Landscape irrigation,
- Diverted stream flows,
- Rising ground waters,
- Uncontaminated ground water infiltration,

- Uncontaminated pumped groundwater,
- Discharges from potable water sources,
- Foundation drains,
- Air conditioning condensate,
- Irrigation water,
- Springs,
- Water from crawl space pumps,
- Footing drains,
- Lawn watering,
- Individual residential car washing,
- Discharges from riparian habitats and wetlands,
- Dechlorinated swimming pool discharges,
- Street wash water,
- Discharges or flows from emergency fire fighting activities (does not include discharges from fire fighting training activities), and
- Other similar occasional incidental non-storm water discharges (e.g. noncommercial or charity car washes, etc.).

1.4 Limitations on Coverage

This permit does not authorize:

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

1.4.1.1 In compliance with a separate NPDES permit; or

1.4.1.2 Exempt from permitting under the NPDES program; or

1.4.1.3 Determined not to be a substantial contributor of pollutants to waters of the United States. See Part 1.3.2.

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

1.4.3 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).

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

1.4.5 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 6.18. 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.

1.4.6 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 specific waste load allocation has been established that would apply to your discharge, you must incorporate that allocation into your SWMP and implement necessary steps to meet that allocation.

In a situation where an EPA-approved or established TMDL has specified a general wasteload allocation applicable to municipal storm water discharges, but no specific requirements for such discharges have been identified in the TMDL, you must consult with the State or Federal TMDL authority to confirm that adherence to a SWMP, that meets the requirements of this general permit, will be consistent with the approved TMDL. 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 of this general permit will generally be assumed to be consistent with the approved TMDL. If the EPA-approved or established TMDL specifically precludes such discharges, the operator is not eligible for coverage under this general permit.

1.5 Endangered Species Act (ESA) Eligibility Provisions

1.5.1 Coverage under this permit is available only if the MS4 operator's storm water discharges, allowable non-storm water discharges, and discharge-related activities:

- will not jeopardize the continued existence of any species that are listed as endangered or threatened ("listed") under the ESA or result in the adverse modification or destruction of habitat that is designated as critical under the ESA (“critical habitat”)
- will not cause a prohibited "take" of endangered or threatened species (as defined under Section 3 of the Endangered Species Act and 50 CFR 17.3), unless such takes are authorized under sections 7 or 1 0 of the Endangered Species Act.

By submitting a signed NOI, the operator certifies that it has met all eligibility criteria in this section.

1.5.2 “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.

1.5.3 Eligibility Criteria: Appendix A of this permit establishes a process that must be used to determine permit eligibility related to this provision.

- The applicant must evaluate and document eligibility before the NOI is submitted to EPA and maintain eligibility for the entire term of coverage under the permit.
- The information used to make the eligibility determination must be documented in the SWMP.
- EPA may notify an MS4 operator, either in advance or during the NOI review waiting period (Part 2.1.3), that they must pursue eligibility under a particular criteria, for specific reasons that will be explained in the notification.
- Operators who conduct informal consultation to meet the eligibility requirements of Part 1.5 are automatically designated as non-Federal representatives under this permit. See 50 CFR §402.08. Operators who choose to conduct informal consultation as a non-Federal representative must notify EPA and the appropriate service office in writing of that decision.

1.5.3.1 Criterion A: No endangered or threatened species or critical habitat occur in proximity to the MS4 or the points where authorized discharges reach waters of the United States; or

1.5.3.2 Criterion B: A formal or informal consultation with the Fish and Wildlife Service (FWS) under Section 7 of the ESA has been concluded and that consultation:

- Addressed the effects of the storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed species and critical habitat; and
- The consultation resulted in either a no jeopardy opinion or a written concurrence by the FWS on a finding that the storm water discharges, allowable non-storm water discharges, and discharge-related activities are not likely to adversely affect listed species or critical habitat; and
- The MS4 operator agrees to comply with any measures or controls upon which FWS concurrence was based and incorporates those measures or controls into the SWMP.

1.5.3.3 Criterion C: The activities of the MS4 are authorized under Section 10 of the ESA and that authorization addresses the effects of the storm water discharges, allowable non-storm water discharges, and discharge-related activities on listed species and critical habitat; or

1.5.3.4 Criterion D: The storm water discharges, allowable non-storm water discharges, and discharge-related activities were already addressed in another operator's certification of eligibility under Part 1.5 .3 .1 through 1.5.3 .3 which includes the MS4 activities. By certifying eligibility under this Part, the MS4 operator agrees to comply with any measures or controls upon which the other operator's certification was based.

1.6 National Historic Preservation Act (NHPA) Eligibility Provisions

1.6.1 Determining eligibility: 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:

1.6.1.1 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

1.6.1.2 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.

1.6.2 Appendix B 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.

PART 2 AUTHORIZATION UNDER THIS GENERAL PERMIT

2.1 Obtaining Permit Coverage

2.1.1 An MS4 operator seeking authorization to discharge under this general permit must submit a complete notice of intent (NO I), in accordance with the deadlines in Part 3.1 of this permit. The NOI must include the information and attachments required by Parts 3.2 and 1.4.5 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.

2.1.2 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.

2.1.3 An MS4 operator who submits a complete NOI and meets the eligibility requirements in Part 1 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 1.2.4.2 and 5.5.3.)

2 .1.4 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.

2.2 Terminating Coverage

2.2.1 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.

2.2.2 A permittee must submit an NOT to EPA within 30 days after the permittee:

2.2.2.1 Ceases discharging storm water from the MS4,

2.2.2.2 Ceases operations at the MS4, or

2.2.2.3 Transfers ownership of or responsibility for the facility to another operator.

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

2.2.3.1 Name, mailing address, and location of the MS4 for which the notification is submitted;

2.2.3.2 The name, address and telephone number of the operator addressed by the NOT;

2.2.3.3 The NPDES permit number for the MS4;

2.2.3.4 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

2.2.3.5 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 that 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. 1 also understand that the submission of this Notice a/Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.*

2.2.3.6 NOTs, signed in accordance with Part 6.8 of this permit, must be sent to the address in Part 3.3.

PART 3 NOTICE OF INTENT REQUIREMENTS

3.1 Deadlines for Notification

3.1.1 *MS4s in Urbanized Areas.* MS4s automatically designated under 40 CFR 122.32(a)(l) are required to submit an NOI by October 1, 2007.[3]

3.1.2 Designated MS4s. MS4s designated under 40 CFR 122.26(a)(9)(i)(C) or (D), are required to submit an NOI within 180 days of notice of designation, unless the notice of designation grants a later date.

3.1.3 New Operators. For new operators of all or a part of a permitted 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 5.5.5.

3 .1.4 Submitting a Late NOI. MS4 operators are not prohibited from submitting an NOI after the dates provided in Parts 3.1.1, 3.1.2, or 3.1.1. 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.

3.2 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 Appendix C for suggested format):

The NOI must be signed in accordance with Part 6.8 of this permit and must include the following information:

3.2.1 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;

3.2.2 The full facility mailing address and telephone number;

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

3.2.4 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;

3.2.5 The area of land served by the applicant's MS4 (in square miles);

[3] MS4s not able to meet the NOI deadline due to delays in determining eligibility should notify EPA of the circumstance and progress to date at the address in Part 3.3 and then proceed with a late NOI under Part 3.1.4.

3.2.6 The latitude and longitude of the approximate center of the MS4;

3.2.7 The name(s) of the waters of the United States that receive discharges from the system;

3.2.8 lf the applicant is relying on another entity to satisfy one or more permit obligations (see Part 5.4), the identity of that entity(ies) and the element(s) the entity(ies) will be implementing;

3.2.9 Information on each of the storm water minimum control measures in Part 5.2 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:

- ✓ Description of the best management practices (BMPs) that will be implemented;
- ✓ Measurable goals for each BMP; and
- ✓ Time frames (i.e., month and year) for implementing each BMP;

3.2.10 Based on the requirements of Part 1.5, describe how the eligibility criteria for listed species and critical habitat have been met;

3.2.11 Based on the requirements of Part 1.6, describe how the eligibility criteria for historic properties have been met;

3.2.13 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 1.4.6 have been met.

3.2.13 Signature and certification by an appropriate official (see Part 6.8). The NOI must include the certification statement from Part 6.8.4.

3.3 Where to Submit

The MS4 operator must submit the signed NOI to EPA at the address below. See Part 8 to determine if a copy must be provided to State or Tribal agencies.

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

3.4 Co-Permittees Under a Joint SWMP

Any small MS4 that meets the requirements of Part 1 of this general permit may choose to partner with another regulated MS4 to develop and implement a SWMP. The partnering MS4s must submit separate NO Is, but need only prepare one joint SWMP. If responsibilities are being shared as provided in Part 5.4 of this permit, the SWMP must describe which permittees are responsible for implementing each of the minimum measures. All small MS4 permittees are subject to the provisions in Part 5.5.

PART 4 SPECIAL CONDITIONS

4.1 Compliance with Water Quality Standards

Where a discharge is already authorized under this general permit and is later determined to cause or contribute to the in-stream exceedance of an applicable water quality standard, EPA will notify the permittee. The permittee must take all necessary actions to ensure that future discharges do not cause or contribute to in-stream exceedance of a surface water quality standard and must document these actions in the SWMP. Monitoring for the pollutant of concern to verify success of the corrective actions may be required under Part 5.6.1.3. If an exceedance remains or recurs, the coverage under this general permit may be terminated by EPA, and EPA may require an application for coverage under an alternative general permit or for an individual permit. Compliance with this requirement does not preclude any enforcement activity for any underlying violations of permit conditions.

4.2 Total Daily Maximum Loads (TMDLs) Allocations Established after Permit Issuance

If a TMDL is established for any waterbody into which the permittee discharges prior to the date that the MS4 operator submits an NOI, and if that TMDL includes a waste load allocation or load allocation for a parameter likely to be discharged by the MS4, the operator must meet the requirements of the TMDL and/or its associated implementation plan within any timeframes established in the TMDL. If a TMDL is approved for any waterbody into which the permittee discharges after the date that the permittee submits an NOI, EPA may require revisions to the SWMP to ensure that the wasteload allocation, load allocation and/or the TMDL's associated implementation plan will be met within any timeframes established in the TMDL. Monitoring of the discharges may also be required, as appropriate, to ensure compliance with the TMDL.

PART 5 STORM WATER MANAGEMENT PROGRAM (SWMP)

5.1 General Requirements

The permittee must develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants from a small MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy applicable surface water quality standards. The SWMP must include management practices; control techniques; system, design, and engineering methods; and other provisions EPA determines appropriate for the control of pollutants. Information on Minimum Measures, Measurable Goals, and Best Management Practices (BMPs) are available via http://www.epa.gov/earthlr6/6wg/npdes/sw/ms4/.

A permittee must fully develop and implement the SWMP, including its measurable goals, no later than five years from the effective date of this permit (except as provided under Part 5.1.2.2 of this permit).

5.2 Minimum Control Measures

5.2.1 Public Education and Outreach on Storm Water Impacts

The permittee must:

Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impact of storm water discharges on waterbodies and the steps that the public can take to reduce pollutants in storm water runoff. For the purposes of this permit:

Traditional municipal entities such as cities, counties and tribes, etc. must address the general public being served by the MS4.

Non-traditional municipalities such as universities, hospital complexes, prisons, special districts, etc. and federal facilities must address the community served by the MS4. For example, at a university it would be the faculty, other staff, students, and visitors, while at a military base, it would include military personnel (and dependents), contractors, employees, tenants, visitors, etc.

Departments of transportation must address the community working on or served by the transportation network within the MS4 including employees, contractors, and the general public.

Include the following information in the SWMP:

A description of the education program and outreach activities.

A description of the methods for disseminating information.

The target audiences and target pollutants and sources that the MS4 operator will address in the program, and how they were selected.

An estimation of the number of people with whom the MS4 operator intends to communicate.

A list of measurable goals for the public education and outreach program.

Dates by which the permittee will achieve specific measurable goals.

The name of the person(s) or position responsible for implementing and coordinating the education activities.

See Table 5.2.1.

5.2.2 Public Involvement/Participation

The permittee must:

Develop and implement a plan to encourage public involvement and participation in the development 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.

Make the SWMP and NOI available to the public and to the operator of any MS4 or Tribal authority receiving discharges from the small MS4.

Include the following information in the SWMP:

A description of the general plan for informing the public of involvement and participation opportunities.

The types of activities for public involvement that the program will include and the target audiences.

A description of the procedure for receiving and reviewing public comments.

An explanation of how interested parties may access the NOI and the SWMP.

A list of measurable goals for the public involvement/participation program.

Dates by which the permittee will achieve specific measurable goals.

The name of the person(s) or position(s) responsible for implementing and coordinating the public involvement/participation activities.

How the public was involved in the development of the SWMP submitted with the NOI.

The permittee must comply with State, Tribal and local public notice requirements when implementing the public involvement/participation program.

See Table 5.2.2.

5.2.3 Illicit Discharge Detection and Elimination

The permittee must:

Develop, implement, and enforce a program to detect and eliminate illicit discharges into the small MS4.

Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls (interim map may be submitted with NOI, with completion of map included as a SWMP schedule item).

To the extent allowable under State, Tribal or local law, effectively prohibit through ordinance or other regulatory mechanism, non-storm water discharges into the storm sewer system and implement appropriate enforcement procedures and actions (including enforcement escalation procedures for recalcitrant or repeat offenders).

Develop and implement a plan to detect, identify the source of, and address non-storm water discharges, including illegal dumping, to the system.

Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

Address the following categories of non-storm water discharges or flows (i.e., illicit discharges) only if the small MS4 identifies them as significant contributors of pollutants to the small MS4: water line flushing, landscape irrigation, diverted stream flows, rising groundwaters, uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(20)), uncontaminated pumped groundwater, 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, spills, street wash water, and discharges from emergency fire fighting activities (however, emergency fire fighting does not include discharges from fire fighting training exercises or facilities, discharges from activities intended to prevent fires or from the testing of firefighting equipment).

The permittee may also develop a list of other similar occasional incidental non-storm water discharges (e.g. non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non-storm water discharges must not be reasonably expected (based on information available to the permittees) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions the permittee has established for allowing these discharges to the MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive waterbodies, BMPs on the wash water, etc.). The permittee must document in the SWMP any local controls or conditions placed on the discharges, and include a provision prohibiting any individual non-storm water discharge that is determined to be contributing significant amounts of pollutants to the MS4.

Conduct dry weather field screening for non-storm water flows. The screening must include field tests of selected chemical parameters as indicators of discharge sources. 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. The permittee must investigate the illicit discharge within 15 days of its detection, and must follow up investigation with an action to further study the source of the discharge and ultimately eliminate the discharge.

Address on-site sewage disposal systems that flow into the storm drainage system.

Include the following information in the SWMP:

A description of detection methods.

A description or citation of the established ordinance or other regulatory mechanism used to prohibit illicit discharges. If the permittee needs to develop this mechanism, describe the plan and a schedule to do so.

A description of enforcement policy and jurisdiction. The program must include 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 MS4s jurisdiction. Where the permittee lacks legal authority for direct enforcement action, the program must include notification procedures and if an illicit discharger fails to comply with procedures or policies established by the permittee, the permittee may rely on EPA and the state environmental agency for assistance in enforcement of this provision of the permit.

A list of the non-storm water discharges allowed in the small MS4 because they are identified as non-significant contributors of pollutants to the small MS4. This list must also identify any additional categories of discharges (besides those named in the first paragraph of Part 5.2.3.6) that the MS4 intends to address as non-illicit discharges.

The methods for informing/training employees about illicit discharges.

The methods for informing the public of hazards associated with illegal discharges and improper disposal of waste.

A list of measurable goals for the illicit detection and elimination program.

Dates by which the permittee will achieve specific measurable goals.

The name of the person(s) or position(s) responsible for implementing and coordinating illicit discharge detection and elimination activities.

See Table 5.2.3.

5.2.4 Construction Site Storm Water Runoff Control

The permittee must:

Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water 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. The permittee is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from small construction activities waived by the Director under 40 CFR 122.26(b)(15)(i)(A) or (B).

Using an ordinance or other regulatory mechanism available under the legal authorities of the small MS4, require construction site operators to practice erosion and sediment control and require construction site operators to control waste and properly dispose of wastes, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

Review all site plans for potential water quality impacts, including erosion and sediment control, control of other wastes, and any other impacts that must be examined according to the requirements of the law, ordinance, or other enforceable mechanism of Part 5.2.4.2. Before ground is broken at the construction site, the small MS4 operator must review the plans and verify that the BMPs proposed for the site are would generally be expected to be appropriate for site conditions if properly installed and maintained. The MS4 Operator is not required to guarantee that BMPs selected by the construction site operator will prove effective in practice. Responsibility for replacing BMPs that prove ineffective in practice remains with the construction site operator.

Develop and implement procedures for site inspection and enforcement of control measures (including enforcement escalation procedures for recalcitrant or repeat offenders). Where the permittee lacks legal authority for direct enforcement action, the program must include notification procedures and if a construction site operator fails to comply with procedures or policies established by the permittee, the permittee may rely on EPA and the state environmental agency for assistance in enforcement of this provision of the permit.

Include the following information in the SWMP:

A description or citation of the established ordinance or other regulatory mechanism used to prohibit erosion and waste on construction sites. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so.

A description of the sanctions and enforcement mechanism(s) to ensure compliance (including enforcement escalation procedures for recalcitrant or repeat offenders).

A description of the procedures for site inspection and enforcement of control measures (including enforcement escalation procedures for recalcitrant or repeat offenders), and procedures for site plan reviews.

Procedures for receipt, acknowledgment and consideration of information submitted by the public.

A list of measurable goals for the construction site runoff control program.

Dates by which the permittee will achieve specific measurable goals.

The name of the person(s) or position(s) responsible for overseeing construction site runoff control activities.

See Table 5.2.4.

5.2.5 Post-Construction Storm Water Management in New Development and Redevelopment

The permittee must:

Develop, implement, and enforce a program to address storm water 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, and discharge into the small MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts.

Develop and implement strategies that include a combination of structural and/or non-structural BMPs appropriate for the community.

Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under the legal authorities of the small MS4.

Ensure adequate long-term operation and maintenance of BMPs.

Include the following information in the SWMP:

A description of the management practices to reduce post-construction runoff from new development and redevelopment projects within the MS4; address any specific priority areas and tailor to the local community.

A description or citation of the established ordinance or other regulatory mechanism used to address post-construction runoff control. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so.

A description of the procedure to ensure compliance with local requirements.

Education program for developers and the public about project designs that minimize water quality impacts.

An identification of the measurable goals for the post-construction runoff control program.

Dates by which the permittee will achieve specific measurable goals.

The name of the person(s) or position(s) responsible for the development, implementation, and enforcement of post-construction storm water management.

See Table 5.2.5.

5.2.6 Pollution Prevention/Good Housekeeping for Municipal Operations

The permittee must:

Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations due to activities, including but not limited to, park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance. The permittee must address the following topics in the program:

Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to the small MS4.

Controls to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas.

Procedures to properly dispose of waste removed from the small MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.

Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices.

Include the following information in the SWMP:

A list of the municipal operations impacted by this operation and maintenance program.

A list of industrial facilities (other than large construction activities defined as industrial activity) owned or operated by the permittee that ultimately discharge to the small MS4 and are subject to:

- The Multi-Sector General Permit (MSGP).
- Individual NPDES permit for discharges of storm water associated with industrial activity.

A map showing the industrial facilities owned and operated by the MS4.

The EPA permit authorization number or a MSGP NOI form for each facility.

A description of the training program for municipal employees.

A list of measurable goals for the municipal pollution prevention program.

Dates by which the permittee will achieve specific measurable goals.

The name of the person(s) or position(s) responsible for implementing and coordinating employee training and pollution prevention activities.

Facilities with Discharges of Storm Water Associated with Industrial Activity: Those areas of a permittee's facilities covered under a separate permit for storm water discharges associated with industrial activity (e.g., the Multi-Sector General Permit) are not subject to the requirements of Part 5.2.6. Any areas at a permittee's facilities that are not covered by a separate permit must be addressed under Part 5.2.6. The permittee must document in the SWMP which of its facilities are covered under a separate permit for storm water discharges.

See Table 5.2.6.

5.3 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 5.2.

5.4 Sharing Responsibility

Implementation of one or more of the minimum 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:

The other entity, in fact, implements the control measure;

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

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 5.8 of this general permit. The permittee remains responsible for compliance with the permit obligations if the other entity fails to implement the control measure component.

The County works in conjunction with the City of Santa Fe.

5.5 Reviewing and Updating SWMPs

The permittee must annually review the SWMP in conjunction with preparation of the annual report required under Part 5.8.

The permittee may change the SWMP during the life of the permit according to the following procedures:

Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP may be made at any time upon written notification to EPA;

Changes replacing an ineffective or infeasible management practice specifically identified in the SWMP with an alternate management practice may be requested at any time. Unless denied by EPA, changes proposed according to the criteria below are deemed approved and may be implemented 60 days after submitting the request. If the request is denied, EPA will send a written response giving a reason for the decision. Requests for changes must include:

An analysis of why the management practice is ineffective or infeasible (including cost prohibitive), Expectations on the effectiveness of the replacement management practice, and

An analysis of why the replacement management practice is expected to achieve the goals of the management practice to be replaced;

Change requests or notifications must be made in writing and signed in accordance with Part 6.8;

EPA may notify a permittee that changes to the SWMP are necessary:

To address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

To include more stringent requirements necessary to comply with new federal or state statutory or regulatory requirements;

To include other conditions deemed necessary by EPA to comply with the surface water quality standards, ESA related requirements, and/or other goals and requirements of the CWA, or

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

Within 30 days of receipt of notification as described in Part 5.5.3 above, the permittee must make the required changes to the SWMP and submit to EPA a written statement certifying that the requested changes have been made. EPA will request changes in writing, and offer an opportunity to propose alternative program changes to meet the objective of **the request.**

Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation. The permittee must implement the SWMP on all new areas added to the permittee's portion of the MS4 (or for which the permittee becomes responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than one 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.

Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the permittee must have a plan for implementing the SWMP on all affected

areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP must be included in the annual report.

Only those portions of the SWMP specifically required as permit conditions will be subject to the modification requirements of 40 CFR 124.5. Addition of components, controls, or requirements by the permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternate BMP expected to achieve the goals of the original BMP will be considered minor changes to the SWMP and not modifications to the permit.

5.6 Monitoring and Assessment

The permittee must evaluate program compliance, the appropriateness of identified best management practices, and progress toward achieving identified measurable goals.

Monitoring/Assessment Plan: A proposed monitoring/assessment plan must be submitted to the Director as part of the first annual report. A copy of the proposed monitoring /assessment plan must be provided to the State and/or Tribe with jurisdiction over waters receiving discharges from the MS4.

Discharges to Impaired Waters Monitoring: For discharges to waters on the State's CWA 303(d) list of impaired waters or for which a TMDL has been developed or approved by EPA, the Monitoring/ Assessment Plan required by part 5.6.1.2 must include collection of information on the levels of the pollutant of concern (the pollutant/parameter for which the water body is impaired for which the TMDL was developed) in the discharge. Depending on the parameter of concern, collection of data on a surrogate parameter may be appropriate. Information on impaired waters is available online at: http://cfuub.epa.gov/surf/locate and from the State/Tribal water quality agency. The monitoring year is from January 1 to December 31.

- TMDL Waters With Specific MS4 Allocations- The Monitoring/Assessment Plan must include collection of analytical data for the pollutant of concern on those discharges from the MS4 for which the TMDL establishes a waste load allocation.
- Impaired Waters Prior to TMDL Development and TMDL Waters Without Specific MS4 Allocations- The Monitoring/Assessment Plan must include collection of analytical data for the pollutant of concern on discharges from the MS4 to impaired waters (i.e., into or within one (1) linear mile upstream of an impaired water). Collection of analytical data may include representative sampling either individually or as part of a group monitoring effort. Use of existing data on MS4 discharges may be a component of the proposed Monitoring/ Assessment Plan.
- TMDLs with Specific Monitoring/ Assessment Requirements or Recommendations - Any monitoring/assessment plan must be consistent with applicable requirements in an applicable TMDL or TMDL implementation plan. Monitoring or assessment recommendations in a TMDL may be used in the proposed monitoring/assessment plan,

even if the recommendations would replace analytical monitoring with alternate assessment methods.

5.6.1.3 *Additional Monitoring Required by EPA:* EPA may provide written notice to the discharger requiring additional discharge monitoring. Any such notice will briefly state the reasons for the monitoring, locations and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

5.6.2 If the permittee conducts analytical monitoring of discharges from the permitted small MS4, the permittee must comply with the following:

5.6.2.1 *Representative monitoring.* Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

5.6.2.2 *Test Procedures.* Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136.

5.6.2.3 *Discharge Monitoring Report.* Monitoring results must be reported on a Discharge Monitoring Report (DMR) with the results on one storm event per DMR. DMRs must be submitted along with the Annual Report required by Part 5.8.

5.6.3 Records of monitoring information must include:

5.6.3.1 The date, exact place, and time of sampling or measurements;

5.6.3.2 The names(s) of the individual(s) who performed the sampling or measurements;

5.6.3.3 The date(s) analyses were performed;

5.6.3.4 The names of the individuals who performed the analyses;

5.6.3.5 The analytical techniques or methods used; and

5.6.3.6 The results of such analyses.

5.7 Recordkeeping

5.7.1 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.

5.7.2 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.

5.7.3 The permittee must maintain, for the term of the permit, copies of all information and determinations used to document permit eligibility under Parts 1.4.6, 1.5, and 1.6.

5.8 Annual Reports

5.8.1 The permittee must submit annual reports to EPA for each year of the permit term covering the activities of the permittee from July 1st to June 30th.[4] A suggested format for the report is contained in Appendix D. The first report is due by October 1, 2008, with subsequent reports covering the same periods due annually thereafter (and continuing into any administrative continuance of the permit, should it not be reissued prior to expiration). At least thirty (30) 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. The report must include:

5.8.1.1 The status of compliance with permit conditions, an assessment of the appropriateness of the identified best management practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the Maximum Extent Practicable (MEP), and the measurable goals for each of the minimum control measures;

5.8.1.2 Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;

5.8.1.3 A summary of the storm water activities the permittee plans to undertake during the next reporting cycle (including an implementation schedule);

5.8.1.4 Proposed changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;

5.8.1.5 Description and schedule for implementation of additional BMPs that may be necessary, based on new information or monitoring results, to ensure compliance with applicable TMDLs; and

5.8.1.6 Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable).

5.8.1.7 A brief summary of any issues raised by the public on the draft Annual Report and any proposed changes to the SWMP, along with permittee's responses to the public comments.

[4] The Annual Report may be based on the permittee's actual fiscal year rather than the default July I - June 30 period, provided the permittee notifies EPA by the first October I" following permit authorization that this option will be used and confirms the dates of the permittee's fiscal year. Annual Reports based on fiscal years must be submitted within ninety (90) days following the end of the fiscal year.

5.8.2 Where to Submit. Annual reports and Discharge Monitoring Reports (DMR) must be submitted to EPA at the following address:

U.S. EPA, Region 6
Compliance Assurance and Enforcement Division
Water Enforcement Branch (6EN-WC)
1445 Ross Avenue
Dallas, Texas 75202-2733

PART 6 STANDARD PERMIT CONDITIONS

6.1 Duty to Comply

Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

6.1.1 *Criminal Violations.*

Negligent Violations. The CWA provides that any person who negligently violates permit conditions implementing section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) 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 1 year, or both. In the case of a second, or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

Knowing Violations. The CWA provides that any person who knowingly violates permit conditions implementing section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) 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 3 years, or both. In the case of a second, or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or by imprisonment of not more than 6 years, or both.

Knowing Endangerment. The CWA provides that any person who knowingly violates permit conditions implementing section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury shall, upon conviction be subject to a fine not more than $250,000 or by imprisonment for not more than 15 years, or both. In the case of a second, or subsequent conviction for a knowing endangerment violation, a person shall be subject to criminal penalties of not more than $500,000 per day of violation, or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

False Statement. The CWA 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 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 years, or by both. (See section 309(c)(4) of the Clean Water Act).

6.1.2 *Civil Penalties.*

The CWA provides that any person who violates a permit condition implementing section 301, 302, 306, 307, 308, 318 or 405 of the Act or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act is subject to a civil penalty not to exceed $27,500 per day for each violation.

6.1.3 *Administrative Penalties.*

The CWA provides that any person who violates a permit condition implementing section 301, 302, 306, 307, 308, 318 or 405 of the Act or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act is subject to an administrative penalty as follows:

Class I penalty. Not to exceed $11,000 per violation nor shall the maximum amount exceed $27,500.

Class II penalty. Not to exceed $11,000 per day for each day during which violation continues nor shall the maximum amount exceed $137,500.

6.2 Duty to Reapply

If a permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

6.3 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:

6.3.1 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

6.3.2 Issuance of an individual permit for your discharges; or

6.3.3 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.

6.4 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the 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.

6.5 Duty to Mitigate

The permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

6.6 Duty to Provide Information

The permittee must furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee must also furnish to the Director upon request, copies of records required to be kept by this permit.

6.7 Other Information

If the permittee becomes aware that the permittee has failed to submit any relevant facts in the Notice of Intent or submitted incorrect information in the Notice of Intent or in any other report to the permitting authority, the permittee must promptly submit such facts or information.

6.8 Signatory Requirements

All Notices of Intent, Notices of Termination, reports, certifications, or information submitted to the permitting authority, or that this permit requires be maintained by the permittee must be signed and certified as follows:

6.8.1 All Notices of Intent must be signed and certified as follows:

6.8.1.1 For a corporation: By a responsible corporate officer. For the purpose of this Part, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

6.8.1.2 For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

6.8.1.3 For a municipality, State, Federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a Federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). *NOTE: The examples for federal agencies can be extended to similar situations for State or Local agencies.*

6.8.2 All NOTs, SWPPPs, reports, certifications, or other information required by this permit must be signed by a person described in Part 6.8.1 above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

6.8.2.1 The authorization is made in writing by a person described in Part 6.8.1;

6.8.2.2 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 plant manager, operator of a well or a well field, superintendent, 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); and

6.8.2.3 The signed and dated written authorization is included in the SWMP. A copy must be submitted to EPA, if requested.

6.8.3 Changes to Authorization. If an authorization is no longer accurate because a different operator has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement of 6.8.2 above must be completed prior to or together with any reports, information, or notices of intent to be signed by an authorized representative.

6.8.4 Any person signing documents under the terms of this permit must 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 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."

6.9 Property Rights

The issuance of this permit docs not convey any property rights of any sort, or any exclusive privilege, 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.

6.10 Proper Operation and Maintenance

The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the conditions of this permit and with the conditions of the permittee's SWMP. 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 only when the operation is necessary to achieve compliance with the conditions of the permit.

6.11 Inspection and Entry

The permittee must allow the permitting authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator) upon the presentation of credentials and other documents as may be required by law, to do any of the following:

6.11.1 Enter the premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

6.11.2 Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

6.11.3 Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) practices, or operations regulated or required under this permit; and

6.11.4 Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

6.12 Permit Actions

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

6.13 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.

6.14 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.

6.15 State/Tribal Environmental Laws

6.15.1 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/Tribal law or regulation under authority preserved by section 510 of the Act.

6.15.2 No condition of this permit releases the permittee from any responsibility or requirements under other environmental statutes or regulations.

6.16 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.

6.17 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.

6.18 Requiring an Individual Permit or an Alternative General Permit

6.18.1 *Request by permitting authority.* The permitting authority may require any person seeking authority under, or authorized by, this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the permitting authority to take action under this paragraph. Where the permitting authority requires the permittee to apply for an individual NPDES permit, the permitting authority will notify the permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the permittee to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications must be submitted to EPA, Region 6. The permitting authority may grant additional time to submit the application upon request of the MS4 operator. If the permittee fails to submit in a timely manner an individual NPDES permit application as required by the permitting authority under this paragraph, then the applicability of this permit to the permittee is automatically terminated at the end of the day specified by the permitting authority for application submittal. This paragraph does not apply to any person whom the permitting authority determines was never eligible under Part 1.4. The permitting authority may also notify a discharger to file for an individual permit prior to submission of an NOI.

6.18.2 *Request by permittee.* Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee must submit an individual application in accordance with the requirements of 40 CFR 122.33(b)(2), with reasons supporting the request, to EPA, Region 6. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.

6.18.3 *General permit termination.* 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.

PART 7 DEFINITIONS

All definitions contained in Section 502 of the Act and 40 CFR 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Regulation takes precedence.

"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.

"Control Measure" as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

"CWA" means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq.

"Discharge" when used without qualification means the "discharge of a pollutant."

"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.

"Facility" means any NPDES "point source" or any other facility (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

"Illicit Connection" means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

"Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of storm water 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.

"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.

"Large or Medium Municipal Separate Storm Sewer System" means all municipal separate storm sewers as defined at 40 CFR 122.26(b)(4) or (7).

"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."

"Measurable Goal" means a quantitative measure of progress in implementing a component of

a storm water management program.

"MS4" means municipal separate storm sewer system.

"MS4 Area" refers to:

- The areas within the operator's MS4 where storm water discharges originate and flow toward the point of discharge into the receiving waters and the immediate vicinity.

- The areas where storm water BMPs will be constructed and operated, including any areas where storm water flows to and from BMPs.

- The areas upstream and/or downstream from MS4 discharges into receiving water or wetland that may be affected by the discharges.

"Municipal separate storm sewer" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm drains):

a. Owned or operated by a state, city, town county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to waters of the United States;

b. Designed or used for collecting or conveying storm water;

c. That is not a combined sewer; and

d. That is not part of a publicly owned treatment works.

"NOI" means Notice of Intent to be covered by this permit (see Part 3 of this permit).

"NOT" means Notice of Termination.

"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.

"Owner or operator" means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

"Permitting Authority" means EPA, Region 6.

"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 storm water runoff

"Pollutant" is defined at 40 CFR 122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

"Significant contributors of pollutants" means any discharge that causes or could cause or contribute to a violation of surface water quality standards.

"Small Municipal Separate Storm Sewer System" all separate storm sewers that are:

1. Owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State Jaw such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CW A that discharges to waters of the United States.

2. Not defined as "large" or "medium" municipal separate storm sewer systems in accordance with this permit

3. This term includes 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.

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm Water Management Program (SWMP)" means a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

PART 8 PERMIT CONDITIONS APPLICABLE TO SPECIFIC AREAS OR INDIAN COUNTRY LANDS

The provisions of Part 8 provide modifications or additions to the applicable conditions of Parts 1 through 7 of this permit to reflect specific additional conditions required as part of the State or Tribal CWA section 401 certification process or as otherwise established by the permitting authority.

8.1 Conditions Applicable to NMR040000 (State of New Mexico)

8.1.1 Signed copies of NOIs, annual reports, Discharge Monitoring Reports, NOTs, and any other documents/reports required to be submitted to the Director must also be submitted to:

Program Manager
Point Source Regulations Section
Surface Water Quality Bureau
New Mexico Environment Department
P.O. Box 26110
Santa Fe, New Mexico 87502

8.1.2 All MS4s in the Albuquerque Urbanized Area must submit copies of NOIs, annual reports, and information required by submitted to the Director under Parts 5.5.2.1 and 5.5.4 to:

Director, Environment Department
Pueblo of Isleta
Isleta, New Mexico 87022

8.2 Conditions Applicable to NMR040001 (Indian Country within the State of New Mexico)

8.2.1 *Areas Not Covered By Permit:* Coverage under this general permit is not available for discharge to waters of the United States within the following areas.

- Pueblo of Sandia (individual permit would be required)
- Ute Mountain Reservation (contact EPA Region 8)
- Navajo Reservation (contact EPA Region 9)

8.2.2 *Pueblo of Isleta*

8.2.2.1 Copies of NOIs, annual reports, and information required to be submitted to EPA by Part 5.5.2.1 and Part 5.5.4 must be submitted to the Pueblo of Isleta at the following address:

Director, Environment Department
Pueblo of Isleta
Isleta, New Mexico 87022

8.2.3 *Pueblo of Santa Clara*

8.2.3.1 Copies of NOIs and NOTs must be submitted to the Pueblo of Santa Clara at the following address:

Office of the Governor
Pueblo of Santa Clara
P.O. Box 580
Espanola, New Mexico 87532

8.2.3.2 Copies of SMWPs must be made available to Pueblo of Santa Clara staff upon request.

8.2.4 *Pueblo of Acoma*

8.2.4.1 All MS4s on or bordering the Pueblo of Acoma must either submit copies of NOIs and attachments to the Haaku Water Office at the time they are submitted to EPA or provide written notice that they are filing an NOI and where a copy of the draft NOI is available.

8.2.4.2 Copies of the NOI, SWMP, and Annual Reports must be provided to the Haaku Water Office upon request.

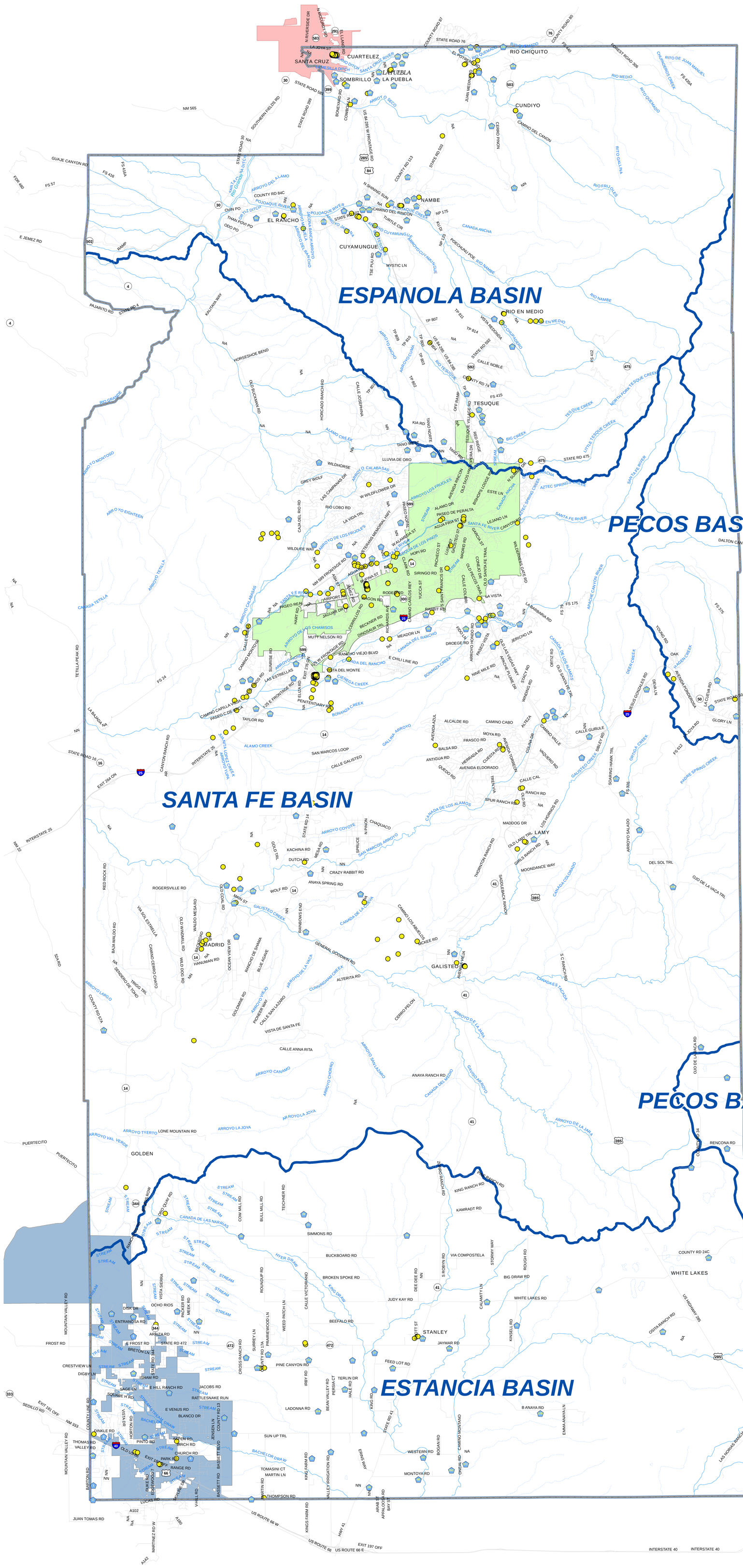
8.2.4.2 Documents sent the Pueblo of Acoma must be sent to:

HAAKU WATER OFFICE
P.O. Box 309
Pueblo of Acoma, New Mexico 87034

FIGURES

NPDES MS4

Santa Fe County



Legend

- Santa Fe County Facilities
- HUC 8 Watersheds
- Major Streams and Arroyos
- Intermittent Arroyos
- Espanola
- Edgewood
- City of Santa Fe

N
W E
S

Scale 1 : 100,000
1 inch represents 1.58 miles

0 1.5 3 6 Miles

0 8,000 16,000 32,000 Feet

0 2.5 5 10 Kilometers

This information is for reference only.
Santa Fe County assumes no liability for errors associated with the use of these data.
Users are solely responsible for confirming data accuracy.

March 19, 2013

TABLES

Public Education and Outreach on Storm Water Impacts (5.2.1)

GENERAL BEST MANAGEMENT PRACTICE (BMP)	DEPT	BMP DESCRIPTION	MEASURABLE GOAL	START DATE	IMPLEMENT BY DATE	COST	CONTACT
Development and Distribution of Educational Materials to Constituents within County Buildings	**SF County** Land Use & Public Works	SF County will develop and distribute public pamphlets and flyers materials for distribution in County Buildings.	Storm water education pamphlets and/or flyer materials developed and reproduced and restocked as needed. Pamphlets will be placed at the Santa Fe Administration, Public Works, Human Resources & Public Safety Buildings.	March 2013	End of July 2013		Paul Kavanaugh (Interim)
Development and Distribution of Educational Materials to Constituents within County's Homepage	**SF County** IT Dept	SF County will develop and implement thru it internet an informational section regarding MS^4 Requirements and Ideas for Santa Fe County.	Storm water education materials will be developed and updated as needed. Downloadable files & map will be placed on the County website.	March 2013	End of July 2013		Paul Kavanaugh (Interim)
Santa Fe County 4-H Fair	**SF County** Land Use & Public Works	SF County will develop and distribute public pamphlets and flyers materials for distribution for the duration of one week, each year at the annual Santa Fe County 4-H Fair.	Storm water education pamphlets and/or flyer materials developed and reproduced and restocked as needed. Will facilitate a booth on 3 days.	August 4 – 10, 2013	August 4 – 10, 2013		Paul Kavanaugh (Interim)
Toss No Mas "Throw No More"	**State of New Mexico**	"Throw No More" program has been very successful anti-litter campaign. Pamphlets asking motorists not throw litter on highways are available at the State Fair during September and Through the year at the Office on New Mexico Clean and Beautiful in Santa Fe.	Review existing material for stormwater operations and modify if practical. The ongoing campaign provides the public with anti-litter bumper stickers, leaflet information, and children's coloring books throughout the year and specifically at the New Mexico State Fair in September of every year.	All ready in place and ongoing	Ongoing		Mia Barela

Public Involvement/Participation (5.2.2)

GENERAL BEST MANAGEMENT PRACTICE (BMP)	DEPT	BMP DESCRIPTION	MEASURABLE GOAL	START DATE	IMPLEMENT BY	COST	INTERNAL CONTACT
Published in Santa Fe County Area news papers	**SF County** Land Use	Santa Fe County is in the Process of implementing the Sustainable Land Development Code. Public meetings, community outreach will be conducted throughout Santa Fe County. Meetings will be advertised through area news papers asking for public input / comments on sections of MS^4 Program.	Meetings will be documented and public input will be taken and considered. 12 meetings were held and approximately four more meetings will be scheduled.	9/12/12	12/31/2013		Paul Kavanaugh (Interim)
Adopt A Road	**SF County** Public Works	Santa Fe County Public Works encourage entities to adopt a section of roadway and clean that segment periodically.	Santa Fe County Public Works continue to offer this program to individuals, private businesses, schools and government agencies. The program has resulted in 61 participants and the cleanup of 59 County Roads.	All ready in place and ongoing	All ready in affect and ongoing		Mia Barela
Great American Spring Clean Up	**SF County** Public Works	Santa Fe County in conjunction with Keep Santa Fe Beautiful conducts an annual Spring clean up with young and old community volunteers to help clean up County roads, parks and arroyos.	The ongoing campaign uses volunteers to participate in community clean up. Santa Fe County has approx. 50 volunteers which have resulted in 12 miles of cleaned roads & 1 illegal dump.	All ready in place and ongoing	All ready in place and ongoing		Mia Barela
Toss No Mas Fall Clean Up	**SF County** Public Works	Santa Fe County in conjunction with Keep Santa Fe Beautiful conducts an annual Fall clean up with young and old community volunteers to help clean up County roads, parks and arroyos.	The ongoing campaign uses volunteers to participate in community clean up. Santa Fe County has approximately 60 volunteers which have resulted in 13 miles of cleaned road & 1 illegal dump.	All ready in place and ongoing	All ready in place and ongoing		Mia Barela
HOT LINE PHONE **(995-2716)**	**SF County** Land Use	Existing complaint line and direct to Storm water Division.	Respond to calls by next working business day.	Already in Place	Ongoing		Wayne Dalton
NOI & SWMP On Website	**SF County** CMO	Downloadable information	Respond to emails by next working business day	March 2013	Ongoing		Kristine Mihelcic
Transfer Station Recycle Stations	**SF County** Public Works	Provide location at each Transfer Station for recycled materials.	Have each site provide recycling within 1 year. Include list of recycle items.	March 2013	March 2014		Olivar Barela

Illicit Discharge Detection and Elimination (5.2.3)

GENERAL BEST MANAGEMENT PRACTICE (BMP)	DEPT	BMP DESCRIPTION	MEASURABLE GOAL	START DATE	IMPLEMENT BY	COST	CONTACT
Develop a storm sewer system map	**S F County** GIS and Public Works	A Santa Fe County storm sewer map will be developed and maintained. Maps will include existing storm sewers locations, point sources such as Public Works Facilities and their sub stations, Open Space Equipment Yard which could affect existing water courses.	Santa Fe County storm sewer system maps have been developed and will be updated and maintained on an ongoing basis.	All ready in place and ongoing	ongoing		Paul Kavanaugh (Interim)
Discharge Detection and Elimination Dry Weather Screening Program	**SF County** Public Works and Land Use	Conduct Dry weather inspections of storm sewers and other point sources, with coordination with field samples of any dry weather flows for pollutants. Compile a file of inspections and their finds and actions taken.	Santa Fe County will set up program to cover County arroyo / storm system w/ once per year dry weather screening.	March 2013	End of March 2014 & then ongoing		Joe Martinez
Develop List of Acceptable Occasional Non- Stormwater Discharges	**SF County** Land Use Legal	Include in Ordinance	Have proposed Ordinance written within 1 year and implemented within 2 years.	March 2013	March 2014 & then ongoing		Steve Ross & Penny Ellis - Green
Citation of Ordinance or Regulation that Prohibits Illicit Discharges & Enforcement Policy and Jurisdiction	**SF County** Land Use Legal	Work with County Legal to write acceptable ordinance, with enforcement and list of acceptable Discharges.	Have proposed Ordinance written within 1 year and implemented within 2 years.	March 2013	March 2014 & then ongoing		Steve Ross & Penny Ellis - Green

Construction Site Storm Water Runoff Control (5.2.4)

GENERAL BEST MANAGEMENT PRACTICE (BMP)	DEPT	BMP DESCRIPTION	MEASURABLE GOAL	START DATE	IMPLEMENT BY	COST	CONTACT
National Pollution Discharge Elimination System (NPDES) – Storm Water Construction General Permit (CGP) Compliance and Enforcement throughout Santa Fe County.	**SF County** Land Use Code Enforcement and Legal	Conduct a review of all construction projects for compliance with NPDES CGP requirements. Use same language as Ordinance BMP	Review new construction projects as required. Maintain an inventory of all active permitted and previously closed construction sites. Document review of SWPPP's & assists contractors as required.	March 2013	March 2014		Vicki Lucero
		Upon Completion of contractor development SWPPP, SF County will review the SWPPP for conformance with CGP Language requirements prior to issuance of Development Permit		March 2013	March 2014		Vicki Lucero
		SF County will conduct periodic inspections of active CGP covered sites to ensure compliance with site specific SWPPP.	Conduct and document all active CGP covered during active site work.	March 2013	March 2014		Paul Kavanaugh (Interim)
		Deficiencies noted during inspections conducted by SF County Code Enforcement Officers will be identified on an inspection reports for corrective action by contractor.	Document deficiencies and corrective actions taken	March 2013	March 2014		Paul Kavanaugh (Interim)
Contractor Training Using EPA & NMED Personal	State of New Mexico or US Government	Area contractors and developers attend a SWPPP training provided by New Mexico Environment Department and/or Environmental Protection Agency personnel.	Provide area contractors with training information each year (training dates, locations, etc.) and have at least 10 county personnel attend training each year.	March 2013	March 2014		Paul Kavanaugh (Interim)
Enforcement of Ordinance	SF County Land Use Code Enforcement and Legal	Complaint line response, periodic checks of construction site (method needed for inspection)	Inspect 20% of construction sites in a year at least once.	March 2013	March 2014		Steve Ross/ Penny Ellis-Green

Post-Construction Storm Water Management in New Development and Redevelopment (5.2.5)

GENERAL BEST MANAGEMENT PRACTICE (BMP)	DEPT	BMP DESCRIPTION	MEASURABLE GOAL	START DATE	IMPLEMENT BY	COST	CONTACT
Sustainable Land Development Code for Long Term Operation and Maintenance of Structural BMP's	**SF County** Land Use	Santa Fe County Sustainable Land Development Code Promotes/encourages cluster developments; promote/encourages development to reduce impervious surfaces.	The adoption of the Santa Fe County Sustainable Land Development Code to allow for cluster development and the reduction of impervious areas.	March 2013	March 2014 & then ongoing		Penny Ellis-Green
Post Construction Stabilization – Re-vegetation	**SF County** Land Use	SF County currently requires that sites disturbed during construction, post a financial guarantee to ensure that sites are re-vegetated with a native seed mix. SF County will continue to enforce this requirement to insure timely vegetative cover to stabilize all disturbed areas.	Conduct and document inspections at all active CGP covered sites. Financial guarantees will be held in reserve for one year after completion of the project.	March 2013	March 2014 & then ongoing		Paul Kavanaugh (Interim)
Post Construction Inspections	**SF County** Land Use	SF County will conduct inspections at completed constructions site (previously covered under NPDES CGP) to determine condition of site runoff controls and if maintenance is required.	Conduct and document a minimum of 20% of inspections per year.	March 2013	March 2014 & then ongoing		Paul Kavanaugh (Interim)
Education Program for Construction and Post Construction Storm Water Practices	SF County Land Use	Partner with City of Santa Fe to hold Education Seminar	Develop a one 2 hour training session and hold 1 training per year.	March 2013	March 2014 & then ongoing		Paul Kavanaugh (Interim)

Pollution Prevention/Good Housekeeping for Municipal Operations (5.2.6)

GENERAL BEST MANAGEMENT PRACTICE (BMP)	DEPT	BMP DESCRIPTION	MEASURABLE GOAL	START DATE	IMPLEMENT BY	COST	CONTACT
Employee Training	**SF County** Land Use Public Works	S F County will train employees to understand the NPDES Requirements. Santa Fe County employees will attend NPDES training workshops provided in conjunction with EPA , NMED and local seminars,	S F County will train a certain number of employees per year. Certificates or Credits will be documented and kept on file. Within 1 year Santa Fe County will have program defined and have training.	March 2013	March 2014		Paul Kavanaugh (Interim)
Parks & Open Space Maintenance	**SF County** OS&T	SF County Open Space has a maintenance crew which is responsible for patrolling SF County's Parks and Open Space. Maintenance requires that employees inspect parks and Open space parking areas, trash containers, arroyos and channels for debris.	A regular schedule for conducting cleaning of parks and Open Space	All ready in place and ongoing			
Maintenance of Culverts, Drop Inlets and other Drainage Structures	**SF County** Public Works	Inspect, clean and maintain the drop inlets and culverts on a regular basis.	Santa Fe County Roads Department will provide a list and schedule within 1 year.	March 2013	March 2014		Diego Gomez
Review All New Facility Construction for Stormwater Quality	**SF County** Land Use	Make certain all new County Facilities have both a construction and operation SWPPP	Add all new County facilities to SWPPP database	March 2013	March 2014		Vicki Lucero
Review of all County Facilities to Identify Locations Where a good Housekeeping Plan is Appropriate. List MSGP- NOIs and Document Facilities on Facility Wrap.	**SF County** Land Use	Keep active file of all County facility SWPPP's plus a list of all County Facilities.	Update Counties file and determine where SWPPP's are needed. Develop SWPPP's where needed.	March 2013	March 2014		Paul Kavanaugh (Interim)
Provide Routine Inspections of Listed Facilities for stormwater compliance. Include all County facilities on MS^4 Map	SF County Land Use	Work with individual operator to provide appropriate BMP's to their site.	Visit all of the sites within first year.	March 2013	March 2014		Paul Kavanaugh (Interim)

Appendix A
Endangered Species Eligibility Procedures

Listed and Sensitive Species in Santa Fe County

Number of species: 16

Common Name	Scientific Name	Group	Status
Yellow-billed cuckoo	*Coccyzus americanus*	Bird	Candidate
Rio Grande cutthroat trout	*Oncorhynchus clarki virginalis*	Fish	Candidate
New Mexican meadow jumping mouse	*Zapus hudsonius luteus*	Mammal	Candidate
Southwestern willow flycatcher Proposed Critical Habitat	*Empidonax traillii extimus*	Bird	Endangered
Rio Grande silvery minnow [3]	*Hybognathus amarus*	Fish	Endangered
Black-footed ferret [2]	*Mustela nigripes*	Mammal	Endangered
Whooping Crane	*Grus americana*	Bird	Experimental, Non-essential Population
Mexican spotted owl Designated Critical Habitat	*Strix occidentalis lucida*	Bird	Threatened

Santa Fe County Species of Concern - Species of Concern are included for planning purposes only.

Common Name	Scientific Name	Group	Status
American peregrine falcon	*Falco peregrinus anatum*	Bird	Species of Concern
Arctic peregrine falcon	*Falco peregrinus tundrius*	Bird	Species of Concern
Baird's sparrow	*Ammodramus bairdii*	Bird	Species of Concern
Northern goshawk	*Accipiter gentilis*	Bird	Species of Concern
Western burrowing owl	*Athene cunicularia hypugaea*	Bird	Species of Concern
Rio Grande sucker	*Catostomus plebeius*	Fish	Species of Concern
Townsend's big-eared bat	*Corynorhinus townsendii*	Mammal	Species of Concern
Santa Fe cholla	*Opuntia viridiflora*	Plant	Species of Concern

Appendix B
Historic Properties Eligibility Procedures

Santa Fe County, New Mexico

Eligibility Report
National Historic Preservation Act

2009 National Pollutant Discharge Elimination System General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (NPDES MS4)

July 22, 2009

Prepared for
New Mexico State Historic Preservation Office
United States Environmental Protection Agency

Prepared by
John A. Sanchez, CFM
Santa Fe County, New Mexico

INTRODUCTION

Santa Fe County is the operator of a Small Municipal Separate Storm Sewer System (MS4). This report describes Santa Fe County's stormwater system and its relationship and effects on properties listed in the National Register of Historic Places.

In compliance with the Clean Water Act, this report is part of a larger Notice of Intent (NOI) submitted to the United States Environmental Protection Agency Region 6 by the County of Santa Fe New Mexico. The purpose of the NOI is to gain coverage under General Permit NMR040000. Coverage under this permit provides authorization to discharge pollutants to water of the United States under the National Discharge Elimination System (NPDES).

In order to be eligible for coverage under this permit the County of Santa Fe, New Mexico must be in compliance with the National Historic Preservation Act. According to General Permit NMR040000, Section 1.6.1, discharges may be authorized under this permit based on the following:

> **Section 1.6.1.1 CRITERION A**: stormwater discharges allowable non-stormwater 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
>
> **Section 1.6.1.2 CRITERION B:** the applicant has obtained and is in compliance with a written agreement with the State Historic Preservation Office or Tribal Historic Preservation Officer (or equivalent tribal authority) that outlines all measures the MS4 operator will undertake to mitigate or prevent adverse effect to the historic property.

This report will demonstrate that each of the 25 listed properties in Santa Fe County was closely studied and that compliance with all provisions of the National Historic Preservation Act has been and will continue to be achieved.

METHODOGY OF STUDY

Each site was inspected, photographed and evaluated separately. Photos of the facade of the historical buildings were taken when possible.

Using GIS mapping, 2008 aerial photography was produced showing each properties proximity to any Special Flood Hazard Area (SFHA) if present as well as any major drainage areas. The maps also indicate the subject property's current FEMA one percent annual chance floodplain one hundred year flood event status. Also include is a firmette of the firm map of each individual area dated June 17, 2008.

Harry B. Montoya
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Michael D. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Roman Abeyta
County Manager

June 26, 2009

Mrs. Michelle Ensey
407 Galisteo Street
Suite 236
Santa Fe, NM 87501

Re: Historic properties located within Santa Fe County for permitting of National Pollution Discharge Elimination System (NPDES)

Dear Mrs. Ensey:

The State of New Mexico Santa Fe County is in the process of applying for their NPDES permit and NOI. I am requesting a review of the historical research conducted by Santa Fe County to ensure accurateness regarding the properties in question.

There are several properties on the historical resister in which were unable to be located these are:

Apache Canyon Railroad Bridge
La Bajada Mesa Agricultural Site
Ortiz Lujan House
Navawi (also known as Laboratory of Anthropology)
Otowi Historic District
Pueblo Colorado (North) also known as Tze-man-Tuo
Pueblo She' also known as Pueblo Chey; Pueblo Che'
Route 66 and National Old Trails Road Historic District La Bajada
Ignacio Roybal House

Your assistance these properties would be greatly appreciated. If there are any additional items which I have not addressed please advise me and I will make whatever corrections are necessary.

Thank you for your assistance with this matter.

Sincerely,

John A. Sanchez
Engineering Technician
Santa Fe County Land Use Dept.

102 Grant Ave. • P.O. Box 276 • Santa Fe, New Mexico 87504-0276 • 505-986-6200 • FAX: 505-995-2740
www.santafecounty.org

STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320 FAX (505) 827-6338

BILL RICHARDSON
Governor

July 6, 2009

John A. Sanchez
Engineering Technician
Santa Fe County Land Use Department
102 Grant Avenue
Santa Fe, NM 87504-0276

Re: NPDES permit

Dear Mr. Sanchez:

Thank you for submitting the information you prepared for Santa Fe County's NPDES permit. The State Historic Preservation Officer (SHPO) has determined that storm water discharges within the County of Santa Fe will not affect properties listed on the National Register of Historic Places.

In your letter, you identified several properties that you were unable to locate. According to our records, the properties are generally located as follows:

1. Apache Canyon Bridge Railroad Bridge - located on the John Bishop Lamy Grant, approximately halfway between Lamy and Canoncito along Galisteo Creek.
2. La Bajada Mesa Agricultural Site and Rt. 66 and Old National Trails Road Historic District at La Bajada - these two properties are north of I-25 and are located near the Sandoval - Santa Fe County line.
3. Ortiz/Lujan House - located in Jaconita.
4. Navawi – located north of White Rock in Mortandad Canyon.
5. Otowi Bridge Historic District- located just west of Otowi Bridge.
6. Pueblo Colorado and Pueblo She – both pueblo archaeological sites are located on the San Cristoval Grant, southeast of the Village of Galiseto.
7. Ignacio Roybal House- located on County Road 84 in Jacona.

With the exception of the two houses, these historic properties are located in areas that are not easily accessible by the general public and are unlikely to be chosen as a site for placement of storm water system improvements.

In addition to considering properties listed on the National Register of Historic Places, the County of Santa Fe must also consult with this office if the County will be constructing new storm water structural controls or BMPs on County owned land or in areas where properties listed on the State Register of Cultural Properties are located. A list of properties on the State Register of Cultural Properties can be found on our web site at www.nmhistoricpreservation.org. If any such construction is anticipated, please contact us so that we may determine if any properties listed on the State Register of Cultural Properties will be affected.

Please do not hesitate to contact me if you have any questions on these comments. I can be reached by telephone at (505) 827-4064 or by email at michelle.ensey@state.nm.us.

Sincerely,

Michelle M. Ensey
Archaeologist

Log: 87126

National Register of Historic Places Listings

Only properties within Santa Fe County were studied. The following properties as listed on the National Register of Historic Places were evaluated:

1. Acequia System of El Rancho de Las Golondrinas
   12 mi SE of Santa Fe on Los Pinos Rd
   Listing #80002572

2. Apache Canyon Railroad Bridge
   3 mi NE of Lamy over Galisteo Creek, Lamy
   Listing #79001553

3. Archbishop Lamy's Chapel
   Bishop's Lodge Rd
   Listing #88000897

4. Davey, Randall House
   1800 Upper Canyon Rd, Santa Fe
   Listing #700004096

5. El Santuario de Chimayo
   Sana Cruz, Chimayo
   Listing #70000412

6. JB Jackson House
   268 Los Pinos Rd, Santa Fe
   Listing #99000598

7. La Bajada Mesa Agricultural Site
   La Bajada Village, Santa Fe
   Listing #83004178

8. La Iglesia de Santa Cruz
   100 Block of Santa Cruz Plaza, Espanola
   Listing #73001148

9. Madrid Historic District
   25 mi SW of Santa Fe on NM 14, Madrid
   Listing #77000928

10. Nuestra Senora de Luz Church and Cemetery
    13 mi SE of Santa Fe N of I-25 frontage rd, Canoncito
    Listing #95001452

11. Otowi Suspension Bridge
    NM 4 over Rio Grande River, San Ildefonso
    97000730

12. Pflueger General Merchandise Store and Annex Saloon (The Legal Tender)
    NM 41, Lamy
    Listing #87000519

13. Pueblo of Nambe
    16 mi off NM 4 on SR 503, Santa Fe
    Listing #74001208

14. Pueblo of Tesuque
    8mi N of Santa Fe on W bank of Tesuque River, Santa Fe
    Listing #73001149

15. San Ildefonso Pueblo
    SW of Espanola off NM 4, Espanola
    Listing #74001206

16. Albert Schmidt House and Studio
    1505 A and B Bishop's Lodge Rd, Tesuque
    Listing #03000691

17. Seton Village
    6 mi S of Santa Fe off US 84, Santa Fe
    Listing #66000492

National Register of Historic Places Listings Not Found

1. Apache Canyon Railroad Bridge
   3mi. NE of Lamy over Galisteo Creek, Lamy
   Listing #79001553

2. La Bajada Mesa Agricultural Site
   Address Restricted
   Listing #83004178

3. Lujan-Ortiz House
   1 mi. from NM 502 on Co. Rd 84, Jacona
   Listing #99001680

4. Navawi (also know as Laboratory of Anthropology)
   Address Restricted, White Rock
   Listing #82001052

5. Pueblo Colorado (North)
   Address Restricted, Lamy
   Listing #82005963

6. Pueblo She'
   Address Restricted, Lamy
   Listing #82005064

7. Route 66 and National Old Trails Road Historic District at La Bajada
   Approx. 0.5 mi. NE of N terminus of NM 16, La Bajada
   Listing #05000633

8. Roybal, Ignacio House
   CR 84 W of NM 4 and US 84/285, Jacona
   Listing #86000227

PROPERTIES LISTED UNDER SCENARIO 2

Historic properties that are not identified in the path of an MS4's storm water and allowable non-stormwater discharges or where construction activities are planned to install BMP's to control such discharges (e.g., diversion channels or retention ponds).

Listing #73001148
La Iglesia de Santa Cruz
100 Block of Santa Cruz Plaza, Espanola

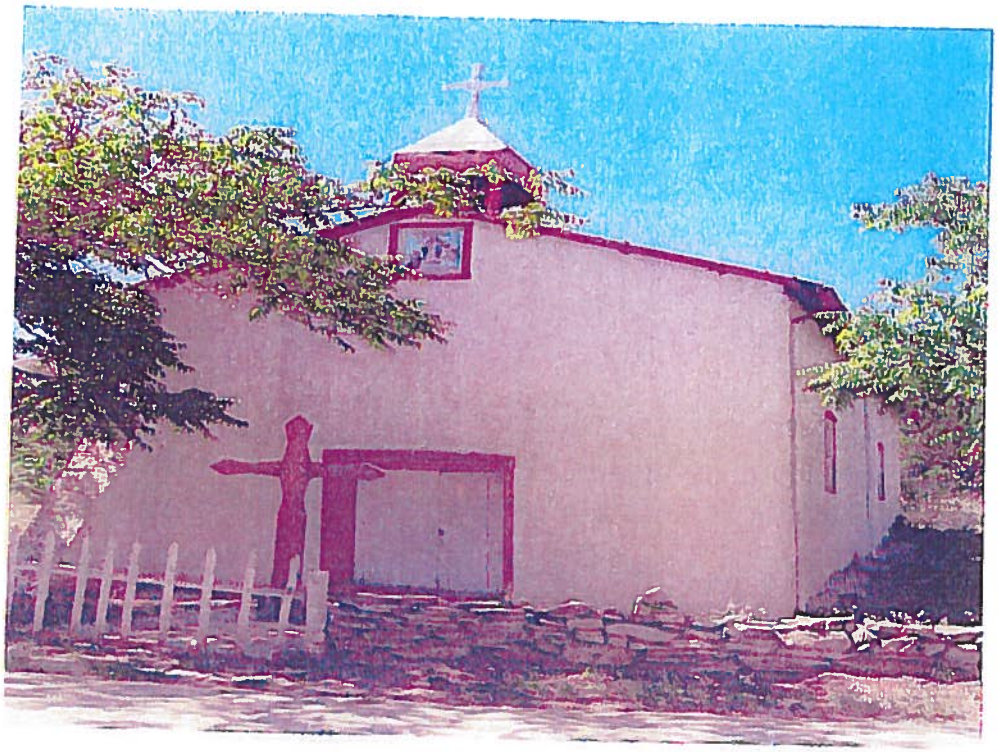
Currently La Iglesia de Santa Cruz is an active Catholic Church with regular services weekly. Located in Santa Cruz Plaza in Espanola off of NM SR 76 and is located to the East of the nearest river. The building is located outside of the FEMA 100 year floodplain Firm Panel #35049C0135D in Zone X.

This site is not likely to ever be chosen as a suitable location for the placement of storm water system improvements.

This historic property is not in the path of stormwater and allowable non-stormwater discharges and construction activities are not planned to install BMP's to control such discharges here.

Calle Hijos De La Sagrada Familia
Calle Cantarecio
350.49 CO 135 D
01 T 20N R08E
State Road 76
Calle Del Rey
Santa Cruz De La Cruz Road
El Llano Rd
102
101 A
101 B
141 A
141 B
130 A
130 B
130 C
130 D
130 E
130 F
130 G
130 H
130 I
130 J
130 K
130 L
130 M
130 N
130 O
130 P
130 Q
130 R
130 S
130 T
130 U
130 V
130 W
130 X
130 Y
130 Z
130 AA
130 AB
130 AC
130 AD
130 AE
130 AF
130 AG
130 AH
130 AI
130 AJ
130 AK
130 AL
130 AM
130 AN
130 AO
130 AP
130 AQ
130 AR
130 AS
130 AT
130 AU
130 AV
130 AW
130 AX
130 AY
130 AZ
130 BA
130 BB
130 BC
130 BD
130 BE
130 BF
130 BG
130 BH
130 BI
130 BJ
130 BK
130 BL
130 BM
130 BN
130 BO
130 BP
130 BQ
130 BR
130 BS
130 BT
130 BU
130 BV
130 BW
130 BX
130 BY
130 BZ
130 CA
130 CB
130 CC
130 CD
130 CE
130 CF
130 CG
130 CH
130 CI
130 CJ
130 CK
130 CL
130 CM
130 CN
130 CO
130 CP
130 CQ
130 CR
130 CS
130 CT
130 CU
130 CV
130 CW
130 CX
130 CY
130 CZ
130 DA
130 DB
130 DC
130 DD
130 DE
130 DF
130 DG
130 DH
130 DI
130 DJ
130 DK
130 DL
130 DM
130 DN
130 DO
130 DP
130 DQ
130 DR
130 DS
130 DT
130 DU
130 DV
130 DW
130 DX
130 DY
130 DZ
130 EA
130 EB
130 EC
130 ED
130 EE
130 EF
130 EG
130 EH
130 EI
130 EJ
130 EK
130 EL
130 EM
130 EN
130 EO
130 EP
130 EQ
130 ER
130 ES
130 ET
130 EU
130 EV
130 EW
130 EX
130 EY
130 EZ
130 FA
130 FB
130 FC
130 FD
130 FE
130 FF
130 FG
130 FH
130 FI
130 FJ
130 FK
130 FL
130 FM
130 FN
130 FO
130 FP
130 FQ
130 FR
130 FS
130 FT
130 FU
130 FV
130 FW
130 FX
130 FY
130 FZ
130 GA
130 GB
130 GC
130 GD
130 GE
130 GF
130 GG
130 GH
130 GI
130 GJ
130 GK
130 GL
130 GM
130 GN
130 GO
130 GP
130 GQ
130 GR
130 GS
130 GT
130 GU
130 GV
130 GW
130 GX
130 GY
130 GZ
130 HA
130 HB
130 HC
130 HD
130 HE
130 HF
130 HG
130 HH
130 HI
130 HJ
130 HK
130 HL
130 HM
130 HN
130 HO
130 HP
130 HQ
130 HR
130 HS
130 HT
130 HU
130 HV
130 HW
130 HX
130 HY
130 HZ
130 IA
130 IB
130 IC
130 ID
130 IE
130 IF
130 IG
130 IH
130 II
130 IJ
130 IK
130 IL
130 IM
130 IN
130 IO
130 IP
130 IQ
130 IR
130 IS
130 IT
130 IU
130 IV
130 IW
130 IX
130 IY
130 IZ
130 JA
130 JB
130 JC
130 JD
130 JE
130 JF
130 JG
130 JH
130 JI
130 JJ
130 JK
130 JL
130 JM
130 JN
130 JO
130 JP
130 JQ
130 JR
130 JS
130 JT
130 JU
130 JV
130 JW
130 JX
130 JY
130 JZ
130 KA
130 KB
130 KC
130 KD
130 KE
130 KF
130 KG
130 KH
130 KI
130 KJ
130 KK
130 KL
130 KM
130 KN
130 KO
130 KP
130 KQ
130 KR
130 KS
130 KT
130 KU
130 KV
130 KW
130 KX
130 KY
130 KZ
130 LA
130 LB
130 LC
130 LD
130 LE
130 LF
130 LG
130 LH
130 LI
130 LJ
130 LK
130 LL
130 LM
130 LN
130 LO
130 LP
130 LQ
130 LR
130 LS
130 LT
130 LU
130 LV
130 LW
130 LX
130 LY
130 LZ
130 MA
130 MB
130 MC
130 MD
130 ME
130 MF
130 MG
130 MH
130 MI
130 MJ
130 MK
130 ML
130 MM
130 MN
130 MO
130 MP
130 MQ
130 MR
130 MS
130 MT
130 MU
130 MV
130 MW
130 MX
130 MY
130 MZ
130 NA
130 NB
130 NC
130 ND
130 NE
130 NF
130 NG
130 NH
130 NI
130 NJ
130 NK
130 NL
130 NM
130 NN
130 NO
130 NP
130 NQ
130 NR
130 NS
130 NT
130 NU
130 NV
130 NW
130 NX
130 NY
130 NZ
130 OA
130 OB
130 OC
130 OD
130 OE
130 OF
130 OG
130 OH
130 OI
130 OJ
130 OK
130 OL
130 OM
130 ON
130 OO
130 OP
130 OQ
130 OR
130 OS
130 OT
130 OU
130 OV
130 OW
130 OX
130 OY
130 OZ
130 PA
130 PB
130 PC
130 PD
130 PE
130 PF
130 PG
130 PH
130 PI
130 PJ
130 PK
130 PL
130 PM
130 PN
130 PO
130 PP
130 PQ
130 PR
130 PS
130 PT
130 PU
130 PV
130 PW
130 PX
130 PY
130 PZ
130 QA
130 QB
130 QC
130 QD
130 QE
130 QF
130 QG
130 QH
130 QI
130 QJ
130 QK
130 QL
130 QM
130 QN
130 QO
130 QP
130 QQ
130 QR
130 QS
130 QT
130 QU
130 QV
130 QW
130 QX
130 QY
130 QZ
130 RA
130 RB
130 RC
130 RD
130 RE
130 RF
130 RG
130 RH
130 RI
130 RJ
130 RK
130 RL
130 RM
130 RN
130 RO
130 RP
130 RQ
130 RR
130 RS
130 RT
130 RU
130 RV
130 RW
130 RX
130 RY
130 RZ
130 SA
130 SB
130 SC
130 SD
130 SE
130 SF
130 SG
130 SH
130 SI
130 SJ
130 SK
130 SL
130 SM
130 SN
130 SO
130 SP
130 SQ
130 SR
130 SS
130 ST
130 SU
130 SV
130 SW
130 SX
130 SY
130 SZ
130 TA
130 TB
130 TC
130 TD
130 TE
130 TF
130 TG
130 TH
130 TI
130 TJ
130 TK
130 TL
130 TM
130 TN
130 TO
130 TP
130 TQ
130 TR
130 TS
130 TT
130 TU
130 TV
130 TW
130 TX
130 TY
130 TZ
130 UA
130 UB
130 UC
130 UD
130 UE
130 UF
130 UG
130 UH
130 UI
130 UJ
130 UK
130 UL
130 UM
130 UN
130 UO
130 UP
130 UQ
130 UR
130 US
130 UT
130 UU
130 UV
130 UW
130 UX
130 UY
130 UZ
130 VA
130 VB
130 VC
130 VD
130 VE
130 VF
130 VG
130 VH
130 VI
130 VJ
130 VK
130 VL
130 VM
130 VN
130 VO
130 VP
130 VQ
130 VR
130 VS
130 VT
130 VU
130 VV
130 VW
130 VX
130 VY
130 VZ
130 WA
130 WB
130 WC
130 WD
130 WE
130 WF
130 WG
130 WH
130 WI
130 WJ
130 WK
130 WL
130 WM
130 WN
130 WO
130 WP
130 WQ
130 WR
130 WS
130 WT
130 WU
130 WV
130 WW
130 WX
130 WY
130 WZ
130 XA
130 XB
130 XC
130 XD
130 XE
130 XF
130 XG
130 XH
130 XI
130 XJ
130 XK
130 XL
130 XM
130 XN
130 XO
130 XP
130 XQ
130 XR
130 XS
130 XT
130 XU
130 XV
130 XW
130 XX
130 XY
130 XZ
130 YA
130 YB
130 YC
130 YD
130 YE
130 YF
130 YG
130 YH
130 YI
130 YJ
130 YK
130 YL
130 YM
130 YN
130 YO
130 YP
130 YQ
130 YR
130 YS
130 YT
130 YU
130 YV
130 YW
130 YX
130 YY
130 YZ
130 ZA
130 ZB
130 ZC
130 ZD
130 ZE
130 ZF
130 ZG
130 ZH
130 ZI
130 ZJ
130 ZK
130 ZL
130 ZM
130 ZN
130 ZO
130 ZP
130 ZQ
130 ZR
130 ZS
130 ZT
130 ZU
130 ZV
130 ZW
130 ZX
130 ZY
130 ZZ
130 AAA
130 AAB
130 AAC
130 AAD
130 AAE
130 AAF
130 AAG
130 AAH
130 AAI
130 AAJ
130 AAK
130 AAL
130 AAM
130 AAN
130 AAO
130 AAP
130 AAQ
130 AAR
130 AAS
130 AAT
130 AAU
130 AAV
130 AAW
130 AAX
130 AAY
130 AAZ
130 ABA
130 ABB
130 ABC
130 ABD
130 ABE
130 ABF
130 ABG
130 ABH
130 ABI
130 ABJ
130 ABK
130 ABL
130 ABM
130 ABN
130 ABO
130 ABP
130 ABQ
130 ABR
130 ABS
130 ABT
130 ABU
130 ABV
130 ABW
130 ABX
130 ABY
130 ABZ
130 ACA
130 ACB
130 ACC
130 ACD
130 ACE
130 ACF
130 ACG
130 ACH
130 ACI
130 ACJ
130 ACK
130 ACL
130 ACM
130 ACN
130 ACO
130 ACP
130 ACQ
130 ACR
130 ACS
130 ACT
130 ACU
130 ACV
130 ACW
130 ACX
130 ACY
130 ACZ
130 ADA
130 ADB
130 ADC
130 ADD
130 ADE
130 ADF
130 ADG
130 ADH
130 ADI
130 ADJ
130 ADK
130 ADL
130 ADM
130 ADN
130 ADO
130 ADP
130 ADQ
130 ADR
130 ADS
130 ADT
130 ADU
130 ADV
130 ADW
130 ADX
130 ADY
130 ADZ
130 AEA
130 AEB
130 AEC
130 AED
130 AEE
130 AEF
130 AEG
130 AEH
130 AEI
130 AEJ
130 AEK
130 AEL
130 AEM
130 AEN
130 AEO
130 AEP
130 AEQ
130 AER
130 AES
130 AET
130 AEU
130 AEV
130 AEW
130 AEX
130 AEY
130 AEZ
130 AFA
130 AFB
130 AFC
130 AFD
130 AFE
130 AFF
130 AFG
130 AFH
130 AFI
130 AFJ
130 AFK
130 AFL
130 AFM
130 AFN
130 AFO
130 AFP
130 AFQ
130 AFR
130 AFS
130 AFT
130 AFU
130 AFV
130 AFW
130 AFX
130 AFY
130 AFZ
130 AGA
130 AGB
130 AGC
130 AGD
130 AGE
130 AGF
130 AGG
130 AGH
130 AGI
130 AGJ
130 AGK
130 AGL
130 AGM
130 AGN
130 AGO
130 AGP
130 AGQ
130 AGR
130 AGS
130 AGT
130 AGU
130 AGV
130 AGW
130 AGX
130 AGY
130 AGZ
130 AHA
130 AHB
130 AHC
130 AHD
130 AHE
130 AHF
130 AHG
130 AHH
130 AHI
130 AHJ
130 AHK
130 AHL
130 AHM
130 AHN
130 AHO
130 AHP
130 AHQ
130 AHR
130 AHS
130 AHT
130 AHU
130 AHV
130 AHW
130 AHX
130 AHY
130 AHZ
130 AIA
130 AIB
130 AIC
130 AID
130 AIE
130 AIF
130 AIG
130 AIH
130 AII
130 AIJ
130 AIK
130 AIL
130 AIM
130 AIN
130 AIO
130 AIP
130 AIQ
130 AIR
130 AIS
130 AIT
130 AIU
130 AIV
130 AIW
130 AIX
130 AIY
130 AIZ
130 AJA
130 AJB
130 AJC
130 AJD
130 AJE
130 AJF
130 AJG
130 AJH
130 AJI
130 AJJ
130 AJK
130 AJL
130 AJM
130 AJN
130 AJO
130 AJP
130 AJQ
130 AJR
130 AJS
130 AJT
130 AJU
130 AJV
130 AJW
130 AJX
130 AJY
130 AJZ
130 AKA
130 AKB
130 AKC
130 AKD
130 AKE
130 AKF
130 AKG
130 AKH
130 AKI
130 AKJ
130 AKK
130 AKL
130 AKM
130 AKN
130 AKO
130 AKP
130 AKQ
130 AKR
130 AKS
130 AKT
130 AKU
130 AKV
130 AKW
130 AKX
130 AKY
130 AKZ
130 ALA
130 ALB
130 ALC
130 ALD
130 ALE
130 ALF
130 ALG
130 ALH
130 ALI
130 ALJ
130 ALK
130 ALL
130 ALM
130 ALN
130 ALO
130 ALP
130 ALQ
130 ALR
130 ALS
130 ALT
130 ALU
130 ALV
130 ALW
130 ALX
130 ALY
130 ALZ
130 AMA
130 AMB
130 AMC
130 AMD
130 AME
130 AMF
130 AMG
130 AMH
130 AMI
130 AMJ
130 AMK
130 AML
130 AMM
130 AMN
130 AMO
130 AMP
130 AMQ
130 AMR
130 AMS
130 AMT
130 AMU
130 AMV
130 AMW
130 AMX
130 AMY
130 AMZ
130 ANA
130 ANB
130 ANC
130 AND
130 ANE
130 ANF
130 ANG
130 ANH
130 ANI
130 ANJ
130 ANK
130 ANL
130 ANM
130 ANN
130 ANO
130 ANP
130 ANQ
130 ANR
130 ANS
130 ANT
130 ANU
130 ANV
130 ANW
130 ANX
130 ANY
130 ANZ
130 AOA
130 AOB
130 AOC
130 AOD
130 AOE
130 AOF
130 AOG
130 AOH
130 AOI
130 AOJ
130 AOK
130 AOL
130 AOM
130 AON
130 AOO
130 AOP
130 AOQ
130 AOR
130 AOS
130 AOT
130 AOU
130 AOV
130 AOW
130 AOX
130 AOY
130 AOZ
130 APA
130 APB
130 APC
130 APD
130 APE
130 APF
130 APG
130 APH
130 API
130 APJ
130 APK
130 APL
130 APM
130 APN
130 APO
130 APP
130 APQ
130 APR
130 APS
130 APT
130 APU
130 APV
130 APW
130 APX
130 APY
130 APZ
130 AQA
130 AQB
130 AQC
130 AQD
130 AQE
130 AQF
130 AQG
130 AQH
130 AQI
130 AQJ
130 AQK
130 AQL
130 AQM
130 AQN
130 AQO
130 AQP
130 AQQ
130 AQR
130 AQS
130 AQT
130 AQU
130 AQV
130 AQW
130 AQX
130 AQY
130 AQZ
130 ARA
130 ARB
130 ARC
130 ARD
130 ARE
130 ARF
130 ARG
130 ARH
130 ARI
130 ARJ
130 ARK
130 ARL
130 ARM
130 ARN
130 ARO
130 ARP
130 ARQ
130 ARR
130 ARS
130 ART
130 ARU
130 ARV
130 ARW
130 ARX
130 ARY
130 ARZ
130 ASA
130 ASB
130 ASC
130 ASD
130 ASE
130 ASF
130 ASG
130 ASH
130 ASI
130 ASJ
130 ASK
130 ASL
130 ASM
130 ASN
130 ASO
130 ASP
130 ASQ
130 ASR
130 ASS
130 AST
130 ASU
130 ASV
130 ASW
130 ASX
130 ASY
130 ASZ
130 ATA
130 ATB
130 ATC
130 ATD
130 ATE
130 ATF
130 ATG
130 ATH
130 ATI
130 ATJ
130 ATK
130 ATL
130 ATM
130 ATN
130 ATO
130 ATP
130 ATQ
130 ATR
130 ATS
130 ATT
130 ATU
130 ATV
130 ATW
130 ATX
130 ATY
130 ATZ
130 AUA
130 AUB
130 AUC
130 AUD
130 AUE
130 AUF
130 AUG
130 AUH
130 AUI
130 AUJ
130 AUK
130 AUL
130 AUM
130 AUN
130 AUO
130 AUP
130 AUQ
130 AUR
130 AUS
130 AUT
130 AUU
130 AUV
130 AUW
130 AUX
130 AUY
130 AUZ
130 AVA
130 AVB
130 AVC
130 AVD
130 AVE
130 AVF
130 AVG
130 AVH
130 AVI
130 AVJ
130 AVK
130 AVL
130 AVM
130 AVN
130 AVO
130 AVP
130 AVQ
130 AVR
130 AVS
130 AVT
130 AVU
130 AVV
130 AVW
130 AVX
130 AVY
130 AVZ
130 AWA
130 AWB
130 AWC
130 AWD
130 AWE
130 AWF
130 AWG
130 AWH
130 AWI
130 AWJ
130 AWK
130 AWL
130 AWM
130 AWN
130 AWO
130 AWP
130 AWQ
130 AWR
130 AWS
130 AWT
130 AWU
130 AWV
130 AWW
130 AWX
130 AWY
130 AWZ
130 AXA
130 AXB
130 AXC
130 AXD
130 AXE
130 AXF
130 AXG
130 AXH
130 AXI
130 AXJ
130 AXK
130 AXL
130 AXM
130 AXN
130 AXO
130 AXP
130 AXQ
130 AXR
130 AXS
130 AXT
130 AXU
130 AXV
130 AXW
130 AXX
130 AXY
130 AXZ
130 AYA
130 AYB
130 AYC
130 AYD
130 AYE
130 AYF
130 AYG
130 AYH
130 AYI
130 AYJ
130 AYK
130 AYL
130 AYM
130 AYN
130 AYO
130 AYP
130 AYQ
130 AYR
130 AYS
130 AYT
130 AYU
130 AYV
130 AYW
130 AYX
130 AYY
130 AYZ
130 AZA
130 AZB
130 AZC
130 AZD
130 AZE
130 AZF
130 AZG
130 AZH
130 AZI
130 AZJ
130 AZK
130 AZL
130 AZM
130 AZN
130 AZO
130 AZP
130 AZQ
130 AZR
130 AZS
130 AZT
130 AZU
130 AZV
130 AZW
130 AZX
130 AZY
130 AZZ
130 BAA
130 BAB
130 BAC
130 BAD
130 BAE
130 BAF
130 BAG
130 BAH
130 BAI
130 BAJ
130 BAK
130 BAL
130 BAM
130 BAN
130 BAO
130 BAP
130 BAQ
130 BAR
130 BAS
130 BAT
130 BAU
130 BAV
130 BAW
130 BAX
130 BAY
130 BAZ
130 BBA
130 BBB
130 BBC
130 BBD
130 BBE
130 BBF
130 BBG
130 BBH
130 BBI
130 BBJ
130 BBK
130 BBL
130 BBM
130 BBN
130 BBO
130 BBP
130 BBQ
130 BBR
130 BBS
130 BBT
130 BBU
130 BBV
130 BBW
130 BBX
130 BBY
130 BBZ
130 BCA
130 BCB
130 BCC
130 BCD
130 BCE
130 BCF
130 BCG
130 BCH
130 BCI
130 BCJ
130 BCK
130 BCL
130 BCM
130 BCN
130 BCO
130 BCP
130 BCQ
130 BCR
130 BCS
130 BCT
130 BCU
130 BCV
130 BCW
130 BCX
130 BCY
130 BCZ
130 BDA
130 BDB
130 BDC
130 BDD
130 BDE
130 BDF
130 BDG
130 BDH
130 BDI
130 BDJ
130 BDK
130 BDL
130 BDM
130 BDN
130 BDO
130 BDP
130 BDQ
130 BDR
130 BDS
130 BDT
130 BDU
130 BDV
130 BDW
130 BDX
130 BDY
130 BDZ
130 BEA
130 BEB
130 BEC
130 BED
130 BEE
130 BEF
130 BEG
130 BEH
130 BEI
130 BEJ
130 BEK
130 BEL
130 BEM
130 BEN
130 BEO
130 BEP
130 BEQ
130 BER
130 BES
130 BET
130 BEU
130 BEV
130 BEW
130 BEX
130 BEY
130 BEZ
130 BFA
130 BFB
130 BFC
130 BFD
130 BFE
130 BFF
130 BFG
130 BFH
130 BFI
130 BFJ
130 BFK
130 BFL
130 BFM
130 BFN
130 BFO
130 BFP
130 BFQ
130 BFR
130 BFS
130 BFT
130 BFU
130 BFV
130 BFW
130 BFX
130 BFY
130 BFZ
130 BGA
130 BGB
130 BGC
130 BGD
130 BGE
130 BGF
130 BGG
130 BGH
130 BGI
130 BGJ
130 BGK
130 BGL
130 BGM
130 BGN
130 BGO
130 BGP
130 BGQ
130 BGR
130 BGS
130 BGT
130 BGU
130 BGV
130 BGW
130 BGX
130 BGY
130 BGZ
130 BHA
130 BHB
130 BHC
130 BHD
130 BHE
130 BHF
130 BHG
130 BHH
130 BHI
130 BHJ
130 BHK
130 BHL
130 BHM
130 BHN
130 BHO
130 BHP
130 BHQ
130 BHR
130 BHS
130 BHT
130 BHU
130 BHV
130 BHW
130 BHX
130 BHY
130 BHZ
130 BIA
130 BIB
130 BIC
130 BID
130 BIE
130 BIF
130 BIG
130 BIH
130 BII
130 BIJ
130 BIK
130 BIL
130 BIM
130 BIN
130 BIO
130 BIP
130 BIQ
130 BIR
130 BIS
130 BIT
130 BIU
130 BIV
130 BIW
130 BIX
130 BIY
130 BIZ
130 BJA
130 BJB
130 BJC
130 BJD
130 BJE
130 BJF
130 BJG
130 BJH
130 BJI
130 BJJ
130 BJK
130 BJL
130 BJM
130 BJN
130 BJO
130 BJP
130 BJQ
130 BJR
130 BJS
130 BJT
130 BJU
130 BJV
130 BJW
130 BJX
130 BJY
130 BJZ
130 BKA
130 BKB
130 BKC
130 BKD
130 BKE
130 BKF
130 BKG
130 BKH
130 BKI
130 BKJ
130 BKK
130 BKL
130 BKM
130 BKN
130 BKO
130 BKP
130 BKQ
130 BKR
130 BKS
130 BKT
130 BKU
130 BKV
130 BKW
130 BKX
130 BKY
130 BKZ
130 BLA
130 BLB
130 BLC
130 BLD
130 BLE
130 BLF
130 BLG
130 BLH
130 BLI
130 BLJ
130 BLK
130 BLL
130 BLM
130 BLN
130 BLO
130 BLP
130 BLQ
130 BLR
130 BLS
130 BLT
130 BLU
130 BLV
130 BLW
130 BLX
130 BLY
130 BLZ
130 BMA
130 BMB
130 BMC
130 BMD
130 BME
130 BMF
130 BMG
130 BMH
130 BMI
130 BMJ
130 BMK
130 BML
130 BMM
130 BMN
130 BMO
130 BMP
130 BMQ
130 BMR
130 BMS
130 BMT
130 BMU
130 BMV
130 BMW
130 BMX
130 BMY
130 BMZ
130 BNA
130 BNB
130 BNC
130 BND
130 BNE
130 BNF
130 BNG
130 BNH
130 BNI
130 BNJ
130 BNK
130 BNL
130 BNM
130 BNN
130 BNO
130 BNP
130 BNQ
130 BNR
130 BNS
130 BNT
130 BNU
130 BNV
130 BNW
130 BNX
130 BNY
130 BNZ
130 BOA
130 BOB
130 BOC
130 BOD
130 BOE
130 BOF
130 BOG
130 BOH
130 BOI
130 BOJ
130 BOK
130 BOL
130 BOM
130 BON
130 BOO
130 BOP
130 BOQ
130 BOR
130 BOS
130 BOT
130 BOU
130 BOV
130 BOW
130 BOX
130 BOY
130 BOZ
130 BPA
130 BPB
130 BPC
130 BPD
130 BPE
130 BPF
130 BPG
130 BPH
130 BPI
130 BPJ
130 BPK
130 BPL
130 BPM
130 BPN
130 BPO
130 BPP
130 BPQ
130 BPR
130 BPS
130 BPT
130 BPU
130 BPV
130 BPW
130 BPX
130 BPY
130 BPZ
130 BQA
130 BQB
130 BQC
130 BQD
130 BQE
130 BQF
130 BQG
130 BQH
130 BQI
130 BQJ
130 BQK
130 BQL
130 BQM
130 BQN
130 BQO
130 BQP
130 BQQ
130 BQR
130 BQS
130 BQT
130 BQU
130 BQV
130 BQW
130 BQX
130 BQY
130 BQZ
130 BRA
130 BRB
130 BRC
130 BRD
130 BRE
130 BRF
130 BRG
130 BRH
130 BRI
130 BRJ
130 BRK
130 BRL
130 BRM
130 BRN
130 BRO
130 BRP
130 BRQ
130 BRR
130 BRS
130 BRT
130 BRU
130 BRV
130 BRW
130 BRX
130 BRY
130 BRZ
130 BSA
130 BSB
130 BSC
130 BSD
130 BSE
130 BSF
130 BSG
130 BSH
130 BSI
130 BSJ
130 BSK
130 BSL
130 BSM
130 BSN
130 BSO
130 BSP
130 BSQ
130 BSR
130 BSS
130 BST
130 BSU
130 BSV
130 BSW
130 BSX
130 BSY
130 BSZ
130 BTA
130 BTB
130 BTC
130 BTD
130 BTE
130 BTF
130 BTG
130 BTH
130 BTI
130 BTJ
130 BTK
130 BTL
130 BTM
130 BTN
130 BTO
130 BTP
130 BTQ
130 BTR
130 BTS
130 BTT
130 BTU
130 BTV
130 BTW
130 BTX
130 BTY
130 BTZ
130 BUA
130 BUB
130 BUC
130 BUD
130 BUE
130 BUF
130 BUG
130 BUH
130 BUI
130 BUJ
130 BUK
130 BUL
130 BUM
130 BUN
130 BUO
130 BUP
130 BUQ
130 BUR
130 BUS
130 BUT
130 BUU
130 BUV
130 BUW
130 BUX
130 BUY
130 BUZ
130 BVA
130 BVB
130 BVC
130 BVD
130 BVE
130 BVF
130 BVG
130 BVH
130 BVI
130 BVJ
130 BVK
130 BVL
130 BVM
130 BVN
130 BVO
130 BVP
130 BVQ
130 BVR
130 BVS
130 BVT
130 BVU
130 BVV
130 BVW
130 BVX
130 BVY
130 BVZ
130 BWA
130 BWB
130 BWC
130 BWD
130 BWE
130 BWF
130 BWG
130 BWH
130 BWI
130 BWJ
130 BWK
130 BWL
130 BWM
130 BWN
130 BWO
130 BWP
130 BWQ
130 BWR
130 BWS
130 BWT
130 BWU
130 BWV
130 BWW
130 BWX
130 BWY
130 BWZ
130 BXA
130 BXB
130 BXC
130 BXD
130 BXE
130 BXF
130 BXG
130 BXH
130 BXI
130 BXJ
130 BXK
130 BXL
130 BXM
130 BXN
130 BXO
130 BXP
130 BXQ
130 BXR
130 BXS
130 BXT
130 BXU
130 BXV
130 BXW
130 BXX
130 BXY
130 BXZ
130 BYA
130 BYB
130 BYC
130 BYD
130 BYE
130 BYF
130 BYG
130 BYH
130 BYI
130 BYJ
130 BYK
130 BYL
130 BYM
130 BYN
130 BYO
130 BYP
130 BYQ
130 BYR
130 BYS
130 BYT
130 BYU
130 BYV
130 BYW
130 BYX
130 BYY
130 BYZ
130 BZA
130 BZB
130 BZC
130 BZD
130 BZE
130 BZF
130 BZG
130 BZH
130 BZI
130 BZJ
130 BZK
130 BZL
130 BZM
130 BZN
130 BZO
130 BZP
130 BZQ
130 BZR
130 BZS
130 BZT
130 BZU
130 BZV
130 BZW
130 BZX
130 BZY
130 BZZ
130 CAA
130 CAB
130 CAC
130 CAD
130 CAE
130 CAF
130 CAG
130 CAH
130 CAI
130 CAJ
130 CAK
130 CAL
130 CAM
130 CAN
130 CAO
130 CAP
130 CAQ
130 CAR
130 CAS
130 CAT
130 CAU
130 CAV
130 CAW
130 CAX
130 CAY
130 CAZ
130 CBA
130 CBB
130 CBC
130 CBD
130 CBE
130 CBF
130 CBG
130 CBH
130 CBI
130 CBJ
130 CBK
130 CBL
130 CBM
130 CBN
130 CBO
130 CBP
130 CBQ
130 CBR
130 CBS
130 CBT
130 CBU
130 CBV
130 CBW
130 CBX
130 CBY
130 CBZ
130 CCA
130 CCB
130 CCC
130 CCD
130 CCE
130 CCF
130 CCG
130 CCH
130 CCI
130 CCJ
130 CCK
130 CCL
130 CCM
130 CCN
130 CCO
130 CCP
130 CCQ
130 CCR
130 CCS
130 CCT
130 CCU
130 CCV
130 CCW
130 CCX
130 CCY
130 CCZ
130 CDA
130 CDB
130 CDC
130 CDD
130 CDE
130 CDF
130 CDG
130 CDH
130 CDI
130 CDJ
130 CDK
130 CDL
130 CDM
130 CDN
130 CDO
130 CDP
130 CDQ
130 CDR
130 CDS
130 CDT
130 CDU
130 CDV
130 CDW
130 CDX
130 CDY
130 CDZ
130 CEA
130 CEB
130 CEC
130 CED
130 CEE
130 CEF
130 CEG
130 CEH
130 CEI
130 CEJ
130 CEK
130 CEL
130 CEM
130 CEN
130 CEO
130 CEP
130 CEQ
130 CER
130 CES
130 CET
130 CEU
130 CEV
130 CEW
130 CEX
130 CEY
130 CEZ
130 CFA
130 CFB
130 CFC
130 CFD
130 CFE
130 CFF
130 CFG
130 CFH
130 CFI
130 CFJ
130 CFK
130 CFL
130 CFM
130 CFN
130 CFO
130 CFP
130 CFQ
130 CFR
130 CFS
130 CFT
130 CFU
130 CFV
130 CFW
130 CFX
130 CFY
130 CFZ
130 CGA
130 CGB
130 CGC
130 CGD
130 CGE
130 CGF
130 CGG
130 CGH
130 CGI
130 CGJ
130 CGK
130 CGL
130 CGM
130 CGN
130 CGO
130 CGP
130 CGQ
130 CGR
130 CGS
130 CGT
130 CGU
130 CGV
130 CGW
130 CGX
130 CGY
130 CGZ
130 CHA
130 CHB
130 CHC
130 CHD
130 CHE
130 CHF
130 CHG
130 CHH
130 CHI
130 CHJ
130 CHK
130 CHL
130 CHM
130 CHN
130 CHO
130 CHP
130 CHQ
130 CHR
130 CHS
130 CHT
130 CHU
130 CHV
130 CHW
130 CHX
130 CHY
130 CHZ
130 CIA
130 CIB
130 CIC
130 CID
130 CIE
130 CIF
130 CIG
130 CIH
130 CII
130 CIJ
130 CIK
130 CIL
130 CIM
130 CIN
130 CIO
130 CIP
130 CIQ
130 CIR
130 CIS
130 CIT
130 CIU
130 CIV
130 CIW
130 CIX
130 CIY
130 CIZ
130 CJA
130 CJB
130 CJC
130 CJD
130 CJE
130 CJF
130 CJG
130 CJH
130 CJI
130 CJJ
130 CJK
130 CJL
130 CJM
130 CJN
130 CJO
130 CJP
130 CJQ
130 CJR
130 CJS
130 CJT
130 CJU
130 CJV
130 CJW
130 CJX
130 CJY
130 CJZ
130 CKA
130 CKB
130 CKC
130 CKD
130 CKE
130 CKF
130 CKG
130 CKH
130 CKI
130 CKJ
130 CKK
130 CKL
130 CKM
130 CKN
130 CKO
130 CKP
130 CKQ
130 CKR
130 CKS
130 CKT
130 CKU
130 CKV
130 CKW
130 CKX
130 CKY
130 CKZ
130 CLA
130 CLB
130 CLC
130 CLD
130 CLE
130 CLF
130 CLG
130 CLH
130 CLI
130 CLJ
130 CLK
130 CLL
130 CLM
130 CLN
130 CLO
130 CLP
130 CLQ
130 CLR
130 CLS
130 CLT
130 CLU
130 CLV
130 CLW
130 CLX
130 CLY
130 CLZ
130 CMA
130 CMB
130 CMC
130 CMD
130 CME
130 CMF
130 CMG
130 CMH
130 CMI
130 CMJ
130 CMK
130 CML
130 CMM
130 CMN
130 CMO
130 CMP
130 CMQ
130 CMR
130 CMS
130 CMT
130 CMU
130 CMV
130 CMW
130 CMX
130 CMY
130 CMZ
130 CNA
130 CNB
130 CNC
130 CND
130 CNE
130 CNF
130 CNG
130 CNH
130 CNI
130 CNJ
130 CNK
130 CNL
130 CNM
130 CNN
130 CNO
130 CNP
130 CNQ
130 CNR
130 CNS
130 CNT
130 CNU
130 CNV
130 CNW
130 CNX
130 CNY
130 CNZ
130 COA
130 COB
130 COC
130 COD
130 COE
130 COF
130 COG
130 COH
130 COI
130 COJ
130 COK
130 COL
130 COM
130 CON
130 COO
130 COP
130 COQ
130 COR
130 COS
130 COT
130 COU
130 COV
130 COW
130 COX
130 COY
130 COZ
130 CPA
130 CPB
130 CPC
130 CPD
130 CPE
130 CPF
130 CPG
130 CPH
130 CPI
130 CPJ
130 CPK
130 CPL
130 CPM
130 CPN
130 CPO
130 CPP
130 CPQ
130 CPR
130 CPS
130 CPT
130 CPU
130 CPV
130 CPW
130 CPX
130 CPY
130 CPZ
130 CQA
130 CQB
130 CQC
130 CQD
130 CQE
130 CQF
130 CQG
130 CQH
130 CQI
130 CQJ
130 CQK
130 CQL
130 CQM
130 CQN
130 CQO
130 CQP
130 CQQ
130 CQR
130 CQS
130 CQT
130 CQU
130 CQV
130 CQW
130 CQX
130 CQY
130 CQZ
130 CRA
130 CRB
130 CRC
130 CRD
130 CRE
130 CRF
130 CRG
130 CRH
130 CRI
130 CRJ
130 CRK
130 CRL
130 CRM
130 CRN
130 CRO
130 CRP
130 CRQ
130 CRR
130 CRS
130 CRT
130 CRU
130 CRV
130 CRW
130 CRX
130 CRY
130 CRZ
130 CSA
130 CSB
130 CSC
130 CSD
130 CSE
130 CSF
130 CSG
130 CSH
130 CSI
130 CSJ
130 CSK
130 CSL
130 CSM
130 CSN
130 CSO
130 CSP
130 CSQ
130 CSR
130 CSS
130 CST
130 CSU
130 CSV
130 CSW
130 CSX
130 CSY
130 CSZ
130 CTA
130 CTB
130 CTC
130 CTD
130 CTE
130 CTF
130 CTG
130 CTH
130 CTI
130 CTJ
130 CTK
130 CTL
130 CTM
130 CTN
130 CTO
130 CTP
130 CTQ
130 CTR
130 CTS
130 CTT
130 CTU
130 CTV
130 CTW
130 CTX
130 CTY
130 CTZ
130 CUA
130 CUB
130 CUC
130 CUD
130 CUE
130 CUF
130 CUG
130 CUH
130 CUI
130 CUJ
130 CUK
130 CUL
130 CUM
130 CUN
130 CUO
130 CUP
130 CUQ
130 CUR
130 CUS
130 CUT
130 CUU
130 CUV
130 CUW
130 CUX
130 CUY
130 CUZ
130 CVA
130 CVB
130 CVC
130 CVD
130 CVE
130 CVF
130 CVG
130 CVH
130 CVI
130 CVJ
130 CVK
130 CVL
130 CVM
130 CVN
130 CVO
130 CVP
130 CVQ
130 CVR
130 CVS
130 CVT
130 CVU
130 CVV
130 CVW
130 CVX
130 CVY
130 CVZ
130 CWA
130 CWB
130 CWC
130 CWD
130 CWE
130 CWF
130 CWG
130 CWH
130 CWI
130 CWJ
130 CWK
130 CWL
130 CWM
130 CWN
130 CWO
130 CWP
130 CWQ
130 CWR
130 CWS
130 CWT
130 CWU
130 CWV
130 CWW
130 CWX
130 CWY
130 CWZ
130 CXA
130 CXB
130 CXC
130 CXD
130 CXE
130 CXF
130 CXG
130 CXH
130 CXI
130 CXJ
130 CXK
130 CXL
130 CXM
130 CXN
130 CXO
130 CXP
130 CXQ
130 CXR
130 CXS
130 CXT
130 CXU
130 CXV
130 CXW
130 CXX
130 CXY
130 CXZ
130 CYA
130 CYB
130 CYC
130 CYD
130 CYE
130 CYF
130 CYG
130 CYH
130 CYI
130 CYJ
130 CYK
130 CYL
130 CYM
130 CYN
130 CYO
130 CYP
130 CYQ
130 CYR
130 CYS
130 CYT
130 CYU
130 CYV
130 CYW
130 CYX
130 CYY
130 CYZ
130 CZA
130 CZB
130 CZC
130 CZD
130 CZE
130 CZF
130 CZG
130 CZH
130 CZI
130 CZJ
130 CZK
130 CZL
130 CZM
130

Listing #95001452
Nuestra Senora de Luz Church and Cemetery
13 mi. NE of Santa Fe N of I-25 frontage Rd, Canoncito



Nuestra Senora de Luz Church and Cemetery is an active Catholic Church with regular services weekly. The site is located in Canoncito to the North East of Santa Fe and South West of Glorieta just off of I-25. The building is located outside of the FEMA 100 year floodplain Firm Panel #35049C0575D in Zone X.

This site is not likely to ever be chosen as a suitable location for the placement of storm water system improvements.

This historic property is not in the path of stormwater and allowable non-stormwater discharges and construction activities are not planned to install BMP's to control such discharges here.

Map of Property in Santa Fe County

Legend

- Address Point - SDE
- FEMA Firm Panels
- s_bfe

2008 FEMA Flood - SDE

- 500 Year
- 100 Year

GPS Roads - SDE

- Minor Roads
- Major Roads
- PLSS Proj Sections - SDE
- Parcels - SDE

op2008_sfco.ecw

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Listing #87000519
Pflueger General Merchandise Store and Annex Saloon
(The Legal Tender)
NM 41 Lamy

Pflueger General Merchandise Store and Annex Saloon had been vacant form many years until recently remodeled to its original stature. The site is located in Lamy South of Santa Fe and South of Eldorado.

Listing #87000519
Pflueger General Merchandise Store and Annex Saloon
(The Legal Tender)
NM 41 Lamy

Pflueger General Merchandise Store and Annex Saloon are currently a museum and coffee shop. The site is also located just to the North of the Lamy train station and railroad. The building is located outside of the FEMA 100 year floodplain Firm Panel #35049C0675D in Zone X.

This site is not likely to ever be chosen as a suitable location for the placement of storm water system improvements.

This historic property is not in the path of stormwater and allowable non-stormwater discharges and construction activities are not planned to install BMP's to control such discharges here.

Map of Property in Santa Fe County

Legend

- Address Point- SDE
- FEMA Firm Panels
- s_bfe

2008 FEMA Flood - SDE

- 500 Year
- 100 Year

GPS Roads - SDE

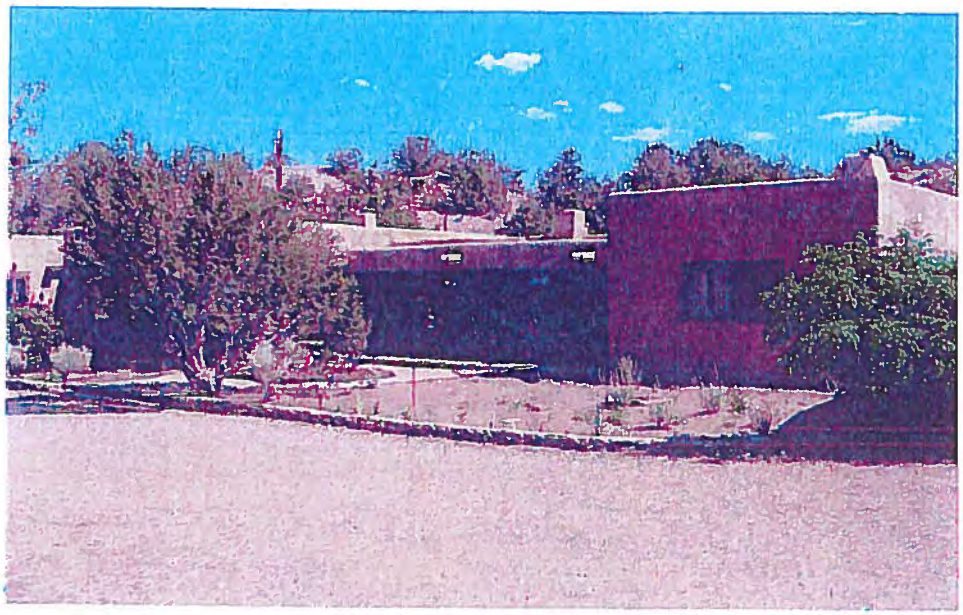
- Minor Roads
- Major Roads
- PLSS Proj Sections - SDE
- Parcels - SDE

ap2008_sfco.ecw

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

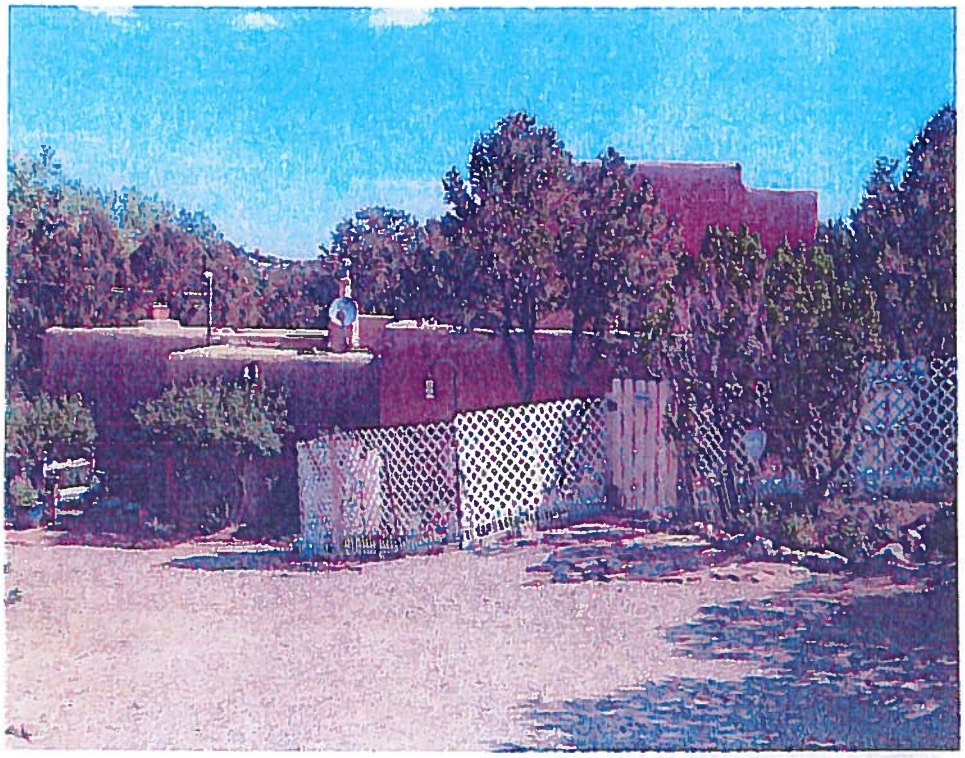
Listing #03000691
Albert Schmidt House and Studio
1505 A and B Bishop's Lodge Rd, Tesuque



Albert Schmidt House and Studio currently serve as a private residence site has been restored to keep historic look of original building.

Detached garage at main house is made of native river rock. This site is located to the North East of the Tesuque River.

Listing #03000691
Albert Schmidt House and Studio
1505 A and B Bishop's Lodge Rd, Tesuque



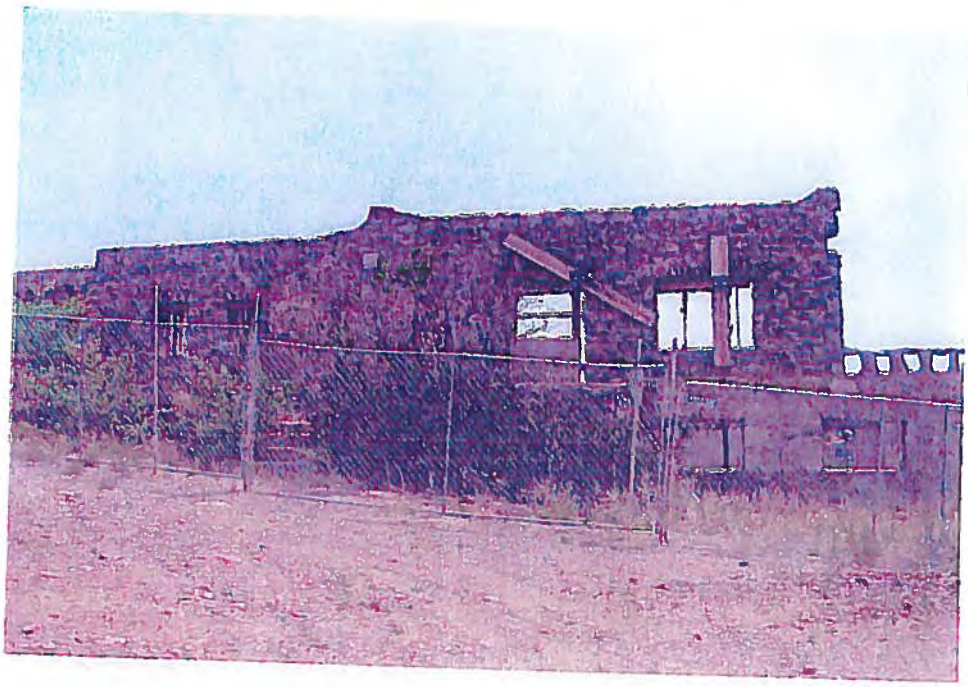
Albert Schmidt House and Studio, the studio is currently used as a guest house for the main house it sits just up the hill to the East. The house and studio are located in Tesuque to the North of Santa Fe off of Bishops Lode Rd. The buildings are located outside of the FEMA 100 year floodplain Firm Panel #35049C0300D in Zone X.

This site is not likely to ever be chosen as a suitable location for the placement of storm water system improvements.

This historic property is not in the path of stormwater and allowable non-stormwater discharges and construction activities are not planned to install BMP's to control such discharges here.

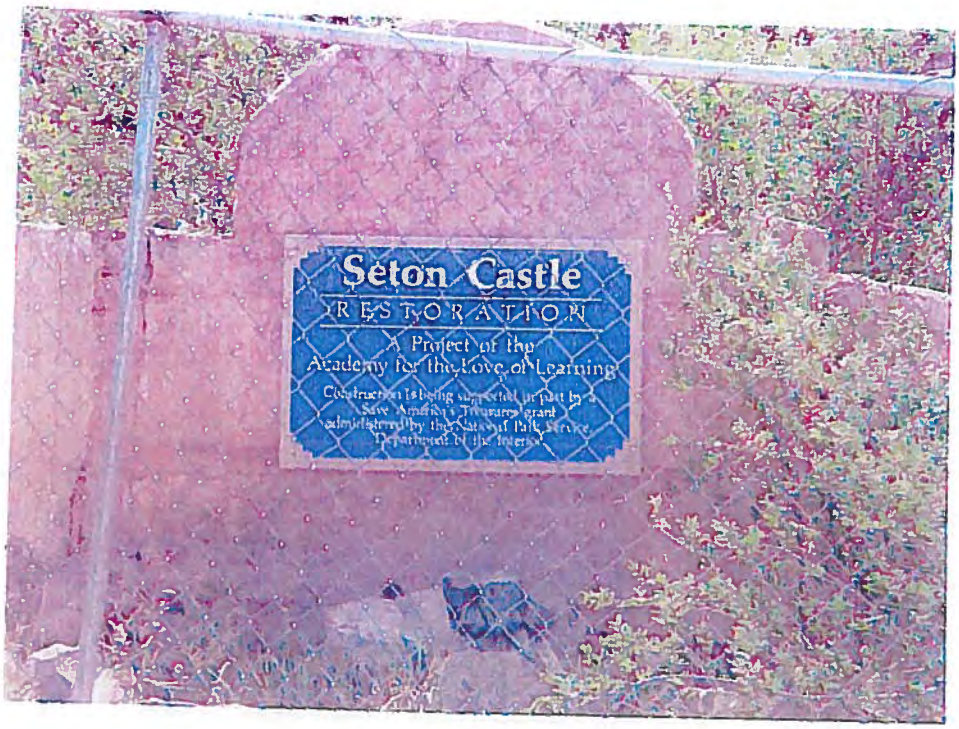
County Road 50
Highway 285 Frontage Rd
35049 CR 100 D
30; T 16N,R 10E
1505 B
1505 C
1505 D
1505 E
1505 F
1505 G
1507
1509
1511
1513
1515
1517
1519
1521
1523
1525
1527
1529
1531
1533
1535
1537
1539
1541
1543
1545
1547
1549
1551
1553
1555
1557
1559
1561
1563
1565
1567
1569
1571
1573
1575
1577
1579
1581
1583
1585

Listing #66000492
Seton Village
6 mi. S of Santa Fe off US 84, Santa Fe



Seton Village Castle is a privately owned property which has been vacant for some time. It has sustained major damage due to a fire during a remodel project.

Listing #66000492
Seton Village
6 mi. S of Santa Fe off US 84, Santa Fe



Seton Castle is located to the East of Santa Fe to the South of I-25. The building is located outside of the FEMA 100 year floodplain Firm Panel #35049C0550D in Zone X.

This site is not likely to ever be chosen as a suitable location for the placement of storm water system improvements.

This historic property is not in the path of stormwater and allowable non-stormwater discharges. Construction activities are planned and do have all BMP's installed to control such discharges on this site.

Map of Property in Santa Fe County

Legend

- Address Point - SDE
- FEMA Firm Panels
- s_bfe

2008 FEMA Flood - SDE

- 500 Year
- 100 Year

GPS Roads - SDE

- Minor Roads
- Major Roads
- PLSS Proj Sections - SDE
- Parcels - SDE

op2008_sfco.ecw

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

1inch = 30 feet

Listing #77000928
Madrid Historic District
25 mi. SW of Santa Fe on NM 14, Madrid

Madrid Historic District from the North end of town looking South on NM HWY 14.

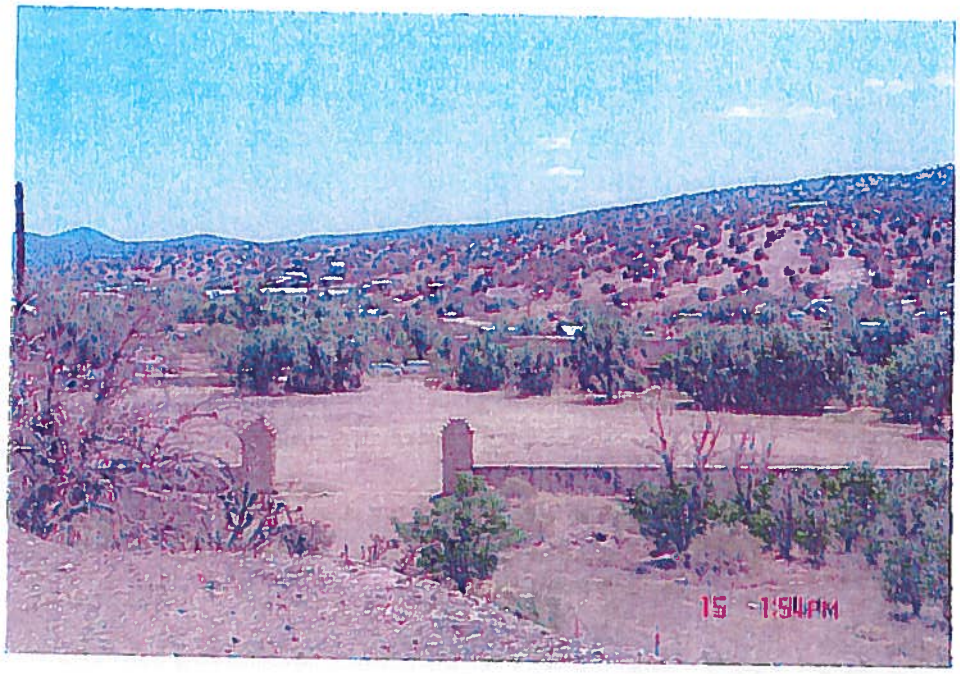
Madrid Historic District view is in the middle of town looking at various shops along NM HWY 14.

Listing #77000928
Madrid Historic District
25 mi. SW of Santa Fe on NM 14, Madrid

Madrid Historic District old coal mine shaft museum along NM HWY 14.

Madrid Historic District facing at the South end of town looking North.

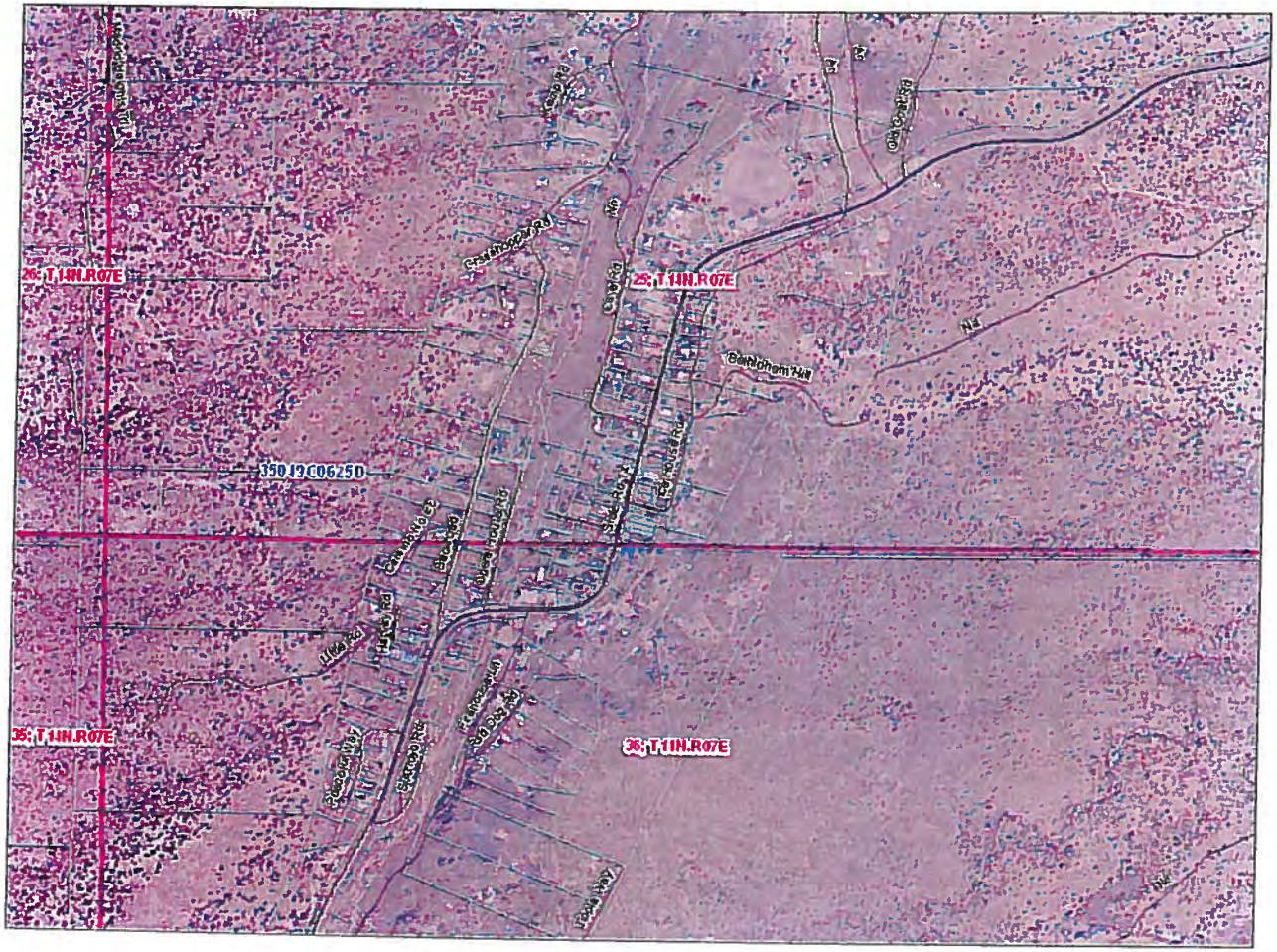
Listing #77000928
Madrid Historic District
25 mi. SW of Santa Fe on NM 14, Madrid



Madrid Historic District is located in a valley off of NM HWY 14 South of Santa Fe and just South of Cerrillos NM. Madrid was once the site of a booming coal mining town and is now a quiet tourist destination. Madrid is made up of shops, café's and homes. The town is located outside of the FEMA 100 year floodplain Firm Panel #35049C0625D in Zone X.

This site is not likely to ever be chosen as a suitable location for the placement of storm water system improvements.

This historic property is not in the path of stormwater and allowable non-stormwater discharges. Construction activities are planned and do have all BMP's installed to control such discharges on this site.



Map of Property in Santa Fe County

Legend

FEMA Firm Panels

2008 FEMA Flood - SDE

500 Year

100 Year

GPS Roads - SDE

Minor Roads

Major Roads

PLSS Proj Sections - SDE

Parcels - SDE

op2008_sfco.ecw

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

Listing #88000897
Archbishop Lamy's Chapel
Bishop's Lodge Rd

Archbishop Lamy's Chapel is located in the Bishops Lodge Resort North of Santa Fe and South of Tesuque off Bishops Lodge Rd. The Chapel is a welcome site for travelers that want to reflect and have a bit of peace. The building is located outside of the FEMA 100 year floodplain Firm Panel #35049C0410D in Zone X.

This site is not likely to ever be chosen as a suitable location for the placement of storm water system improvements.

This historic property is not in the path of stormwater and allowable non-stormwater discharges. Construction activities are planned and do have all BMP's installed to control such discharges on this site.

Map of Property in Santa Fe County

Legend

FEMA Firm Panel:

2008 FEMA Flood - SDE

100 Area

GPS Points - SDE

Roads - SDE

Parcels - SDE

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

1 inch = 74 feet

N

W E

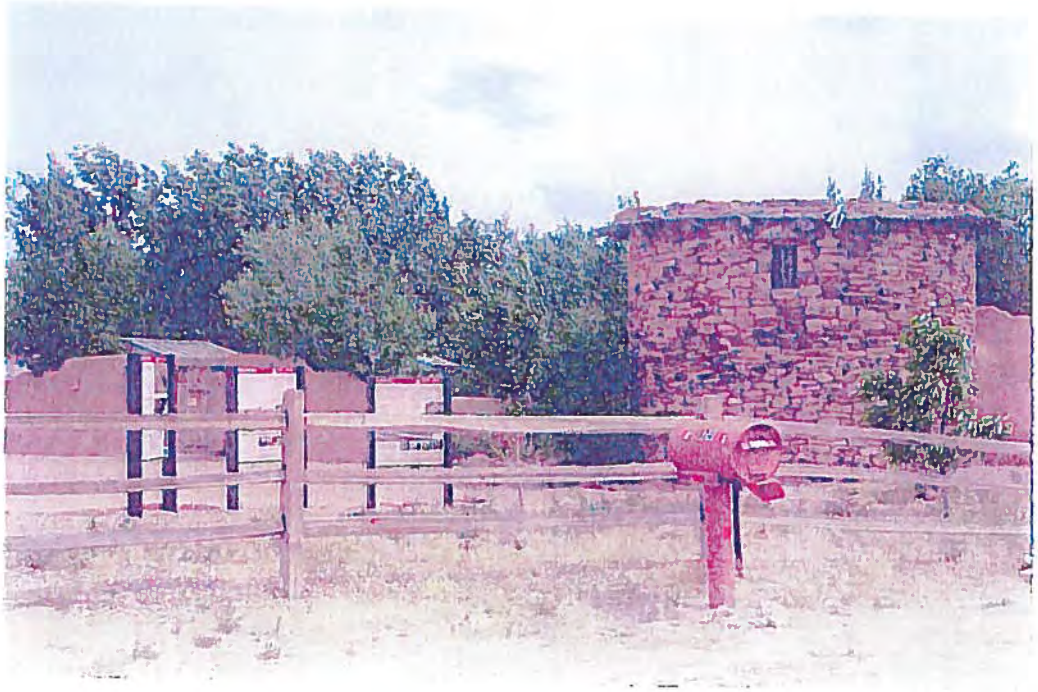
S

PROPERTIES LISTED UNDER SCENARIO 3

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 BMP's to control such discharges, and it is determined that there is the potential to adversely affect the property.

Listing #80002572
Acequia System of El Rancho de Las Golondrinas
12 mi. SE of Santa Fe on Los Pinos Rd

El Rancho de Las Golondrinas is currently used as an educational complex for people to learn the ways of earlier times.



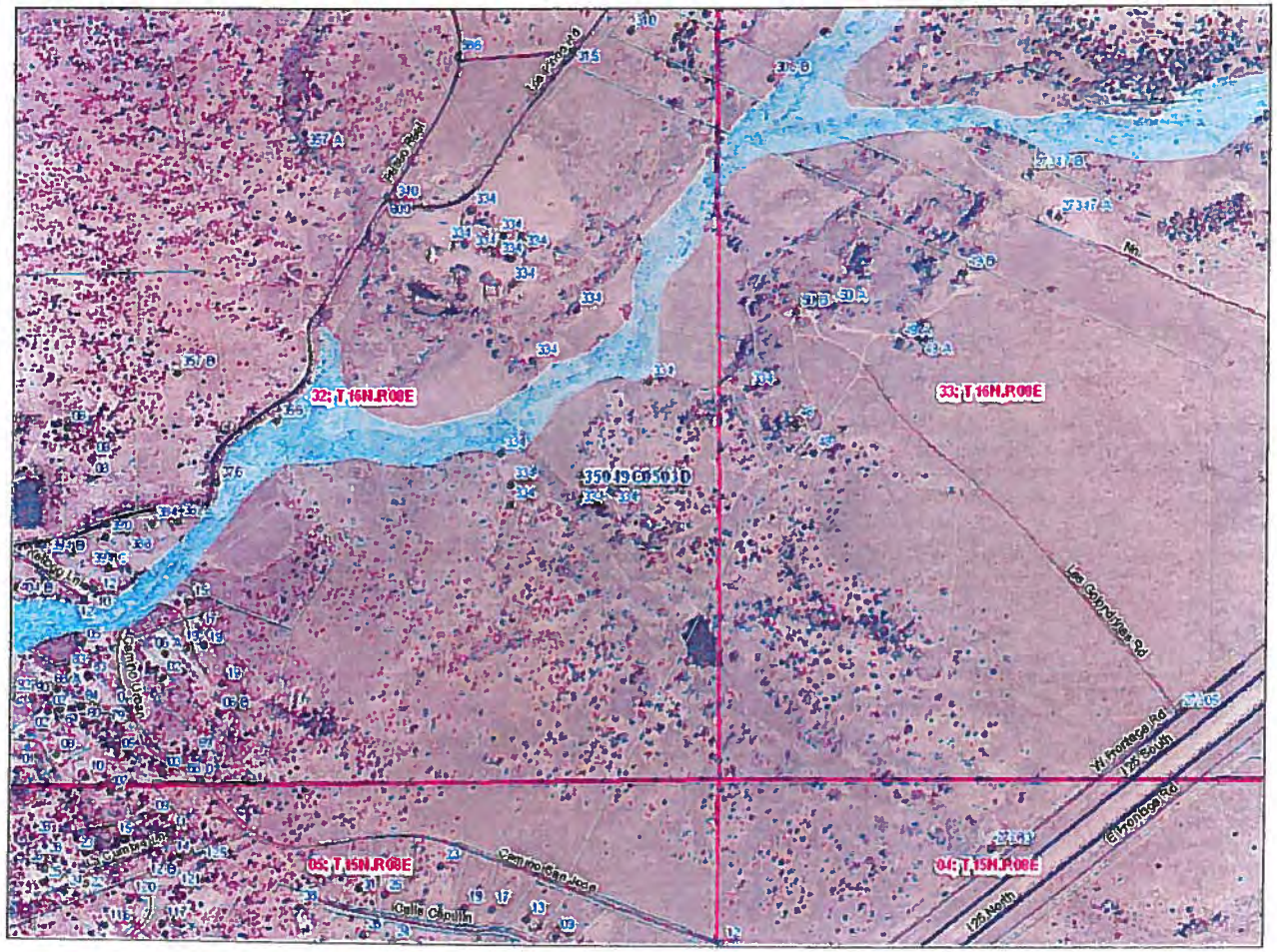
The site is located in La Cienega which is South West of Santa Fe and lies just North of the Santa Fe River.

Listing #80002572
Acequia System of El Rancho de Las Golondrinas
12 mi. SE of Santa Fe on Los Pinos Rd

El Rancho de Las Golondrinas is a privately owned complex which educates people throughout the year by teaching farming, woodworking, metal working and other various tasks to accomplish without modern amenities of today. The site lies just North of the Santa Fe River. The main buildings are outside of the FEMA 100 year floodplain Firm Panel #35049C0503D in Zone X. The Santa Fe River runs through the middle of the property 100 year floodplain Zone A.

The site has on site detention ponds for runoff from structures. This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.



Map of Property in Santa Fe County

Legend

- Address Point - SDE
- FEMA Firm Panels

2008 FEMA Flood - SDE

- 500 Year
- 100 Year

GPS Roads - SDE

- Minor Roads
- Major Roads
- PLSS Proj Sections - SDE
- Parcels - SDE

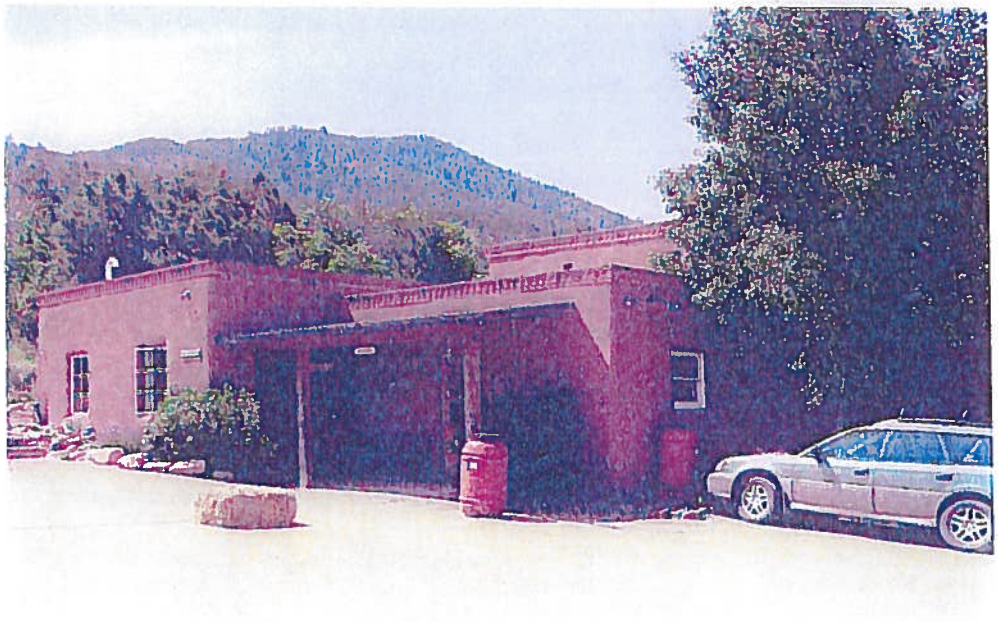
op2008_sfco.ecw

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Listing #70000409
Randall Davey House
1800 Upper Canyon Rd, Santa Fe

The Randall Davey House is currently part of the Randall Davey Audubon Center complex.



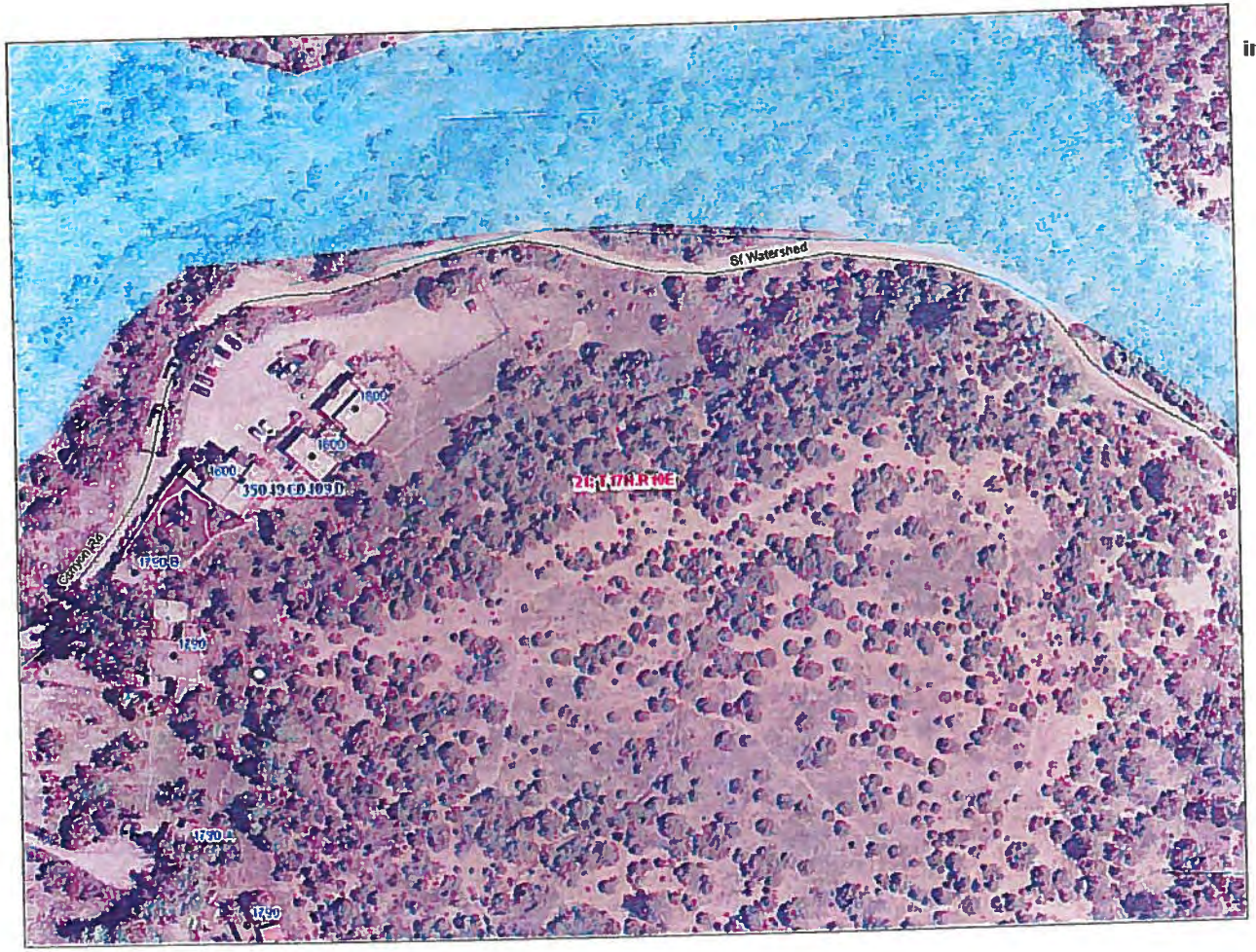
The Randall Davey House is just East of the Santa Fe River North of Santa Fe.

Listing #70000409
Randall Davey House
1800 Upper Canyon Rd, Santa Fe

The Randall Davey House is currently used as an Audubon Center for educational purposes. The Santa Fe River lies to the North of the Randall Davey House, the property is partially located within FEMA 100 year floodplain FIRM panel #35049C0409D the main buildings are in Zone X and the area of floodplain is Zone A.

This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.



Map of Property in Santa Fe County

Legend

- Address Point - SDE
- FEMA Firm Panels
- s_bfe

2008 FEMA Flood - SDE

- 500 Year
- 100 Year

GPS Roads - SDE

- Minor Roads
- Major Roads
- PLSS Proj Sections - SDE
- Parcels - SDE

op2008_sfco.ecw

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Listing #70000412
El Santuario de Chimayo
Santa Cruz, Chimayo

El Santuario de Chimayo is currently an active Catholic Church with weekly services. The Santuario is also a site that is visited by many people daily for its religious history of being a place of healing due to the Tierra (dirt) within a small room of the Church. The Santuario is located to the North of Santa Fe in Chimayo. The property is partially located within FEMA 100 year floodplain FIRM panel #35049C0160D the main buildings are in Zone X and the area of floodplain is Zone A.

This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.

Map of Property in Santa Fe County

Legend

- Address Point - SDE
- FEMA Firm Panels
- s_bfe

2008 FEMA Flood - SDE

- 500 Year
- 100 Year

GPS Roads - SDE

- Minor Roads
- Major Roads

- PLSS Proj Sections - SDE
- Parcels - SDE

op2008_sfcn.ecw

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

1:540

1 inch = 45 feet

Listing #99000598
J.B. Jackson House
268 Los Pinos Rd, Santa Fe

J.B. Jackson House is currently a private owned property with a main residence and a studio site.

The house is located just north of the Santa Fe River in La Cienega South of Santa Fe off of Los Pinos Rd.

Listing #99000598
J.B. Jackson House
268 Los Pinos Rd, Santa Fe

The J.B. Jackson House has been renovated to it original state. The detached studio is currently used for artwork which consists of paintings done by the current owner. The property is partially located within FEMA 100 year floodplain FIRM panel #35049C0503D the main buildings are in Zone X and the area of floodplain is Zone A.

This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.

Map of Property in Santa Fe County

Legend

- Address Point - SDE
- FEMA Firm Panels
- s_bfe

2008 FEMA Flood - SDE

- 500 Year
- 100 Year

GPS Roads - SDE

- Minor Roads
- Major Roads

- PLSS Proj Sections - SDE
- Parcels - SDE

op2008_sfco.ecw

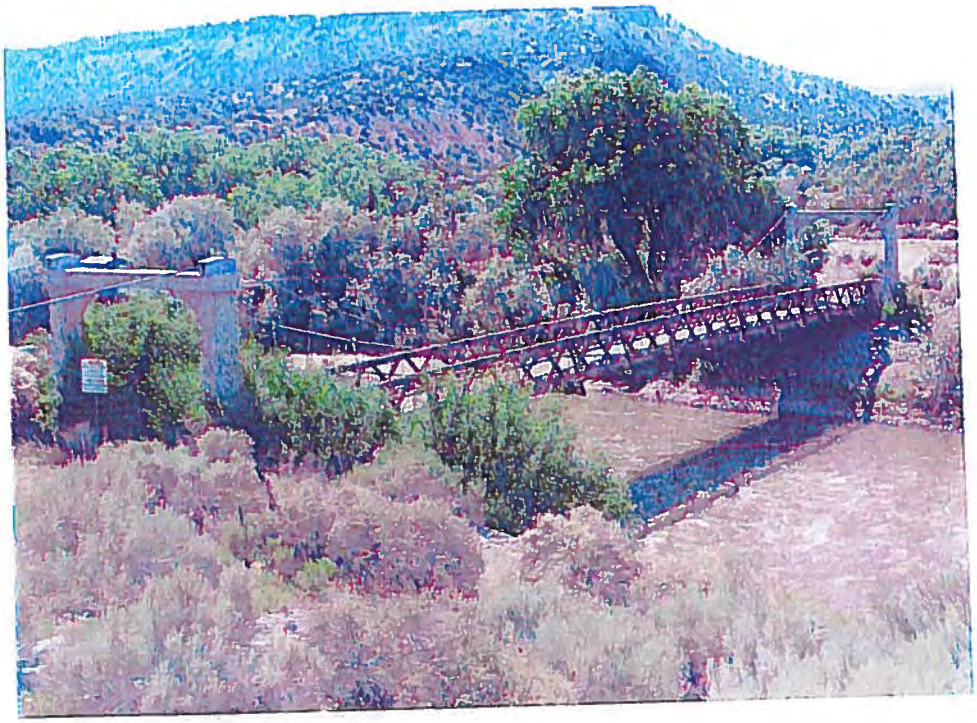
RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3

1:3,330

1inch= 113feet

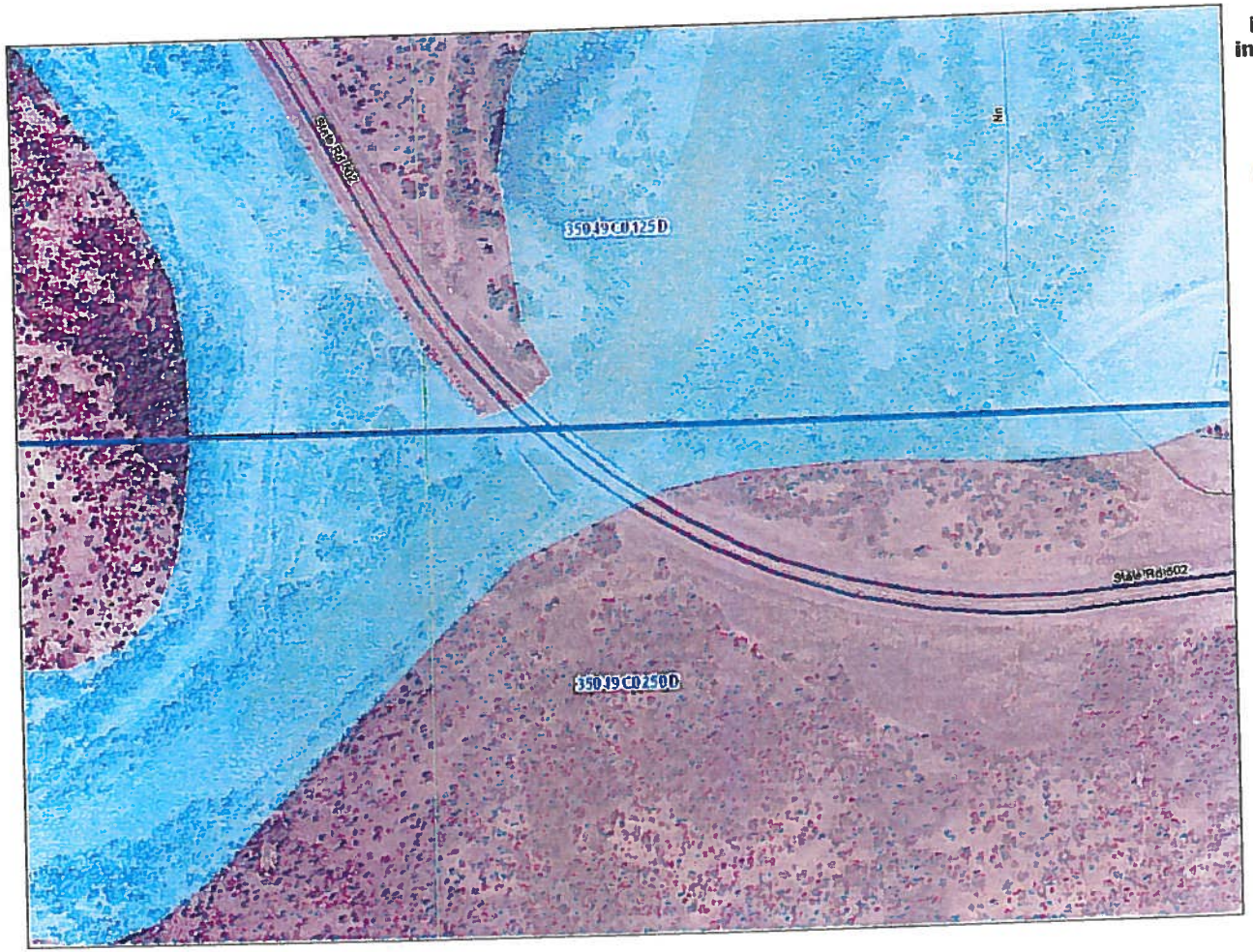
Listing #97000730
Otowi Suspension Bridge
NM 4 over Rio Grande River, San Ildefonso



The Otowi Suspension Bridge is located off of NM SR 502 West of Pojoaque and East of Los Alamos. The bridge is no longer in use and stands as a landmark for the old road over the Rio Grand River. The bridge is located within FEMA 100 year floodplain FIRM panel #35049C0125D and panel #35049C0250D the bridge is located in Zone A.

This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.



Map of Property in Santa Fe County

Legend

FEMA Firm Panels

2008 FEMA Flood - SDE

500 Year

100 Year

GPS Roads - SDE

Minor Roads

Major Roads

Parcels - SDE

op2008_sfco.ecw

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

15.17"

1inch = 263 feet

Listing #74001208
Pueblo of Nambe
16 mi. off NM 4 on SR 503, Santa Fe

The property is partially located within FEMA 100 year floodplain FIRM panel #35049C0175D the main buildings are in Zone X and the area of floodplain is Zone A.

This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.

Map of Property in Santa Fe County

Legend

FEMA Firm Panels

2008 FEMA Flood - SDE

500 Year

100 Year

GPS Roads - SDE

Minor Roads

Major Roads

Parcels - SDE

op2008_sfco.ecw

RGB

Red: Band_1

Green: Band_2

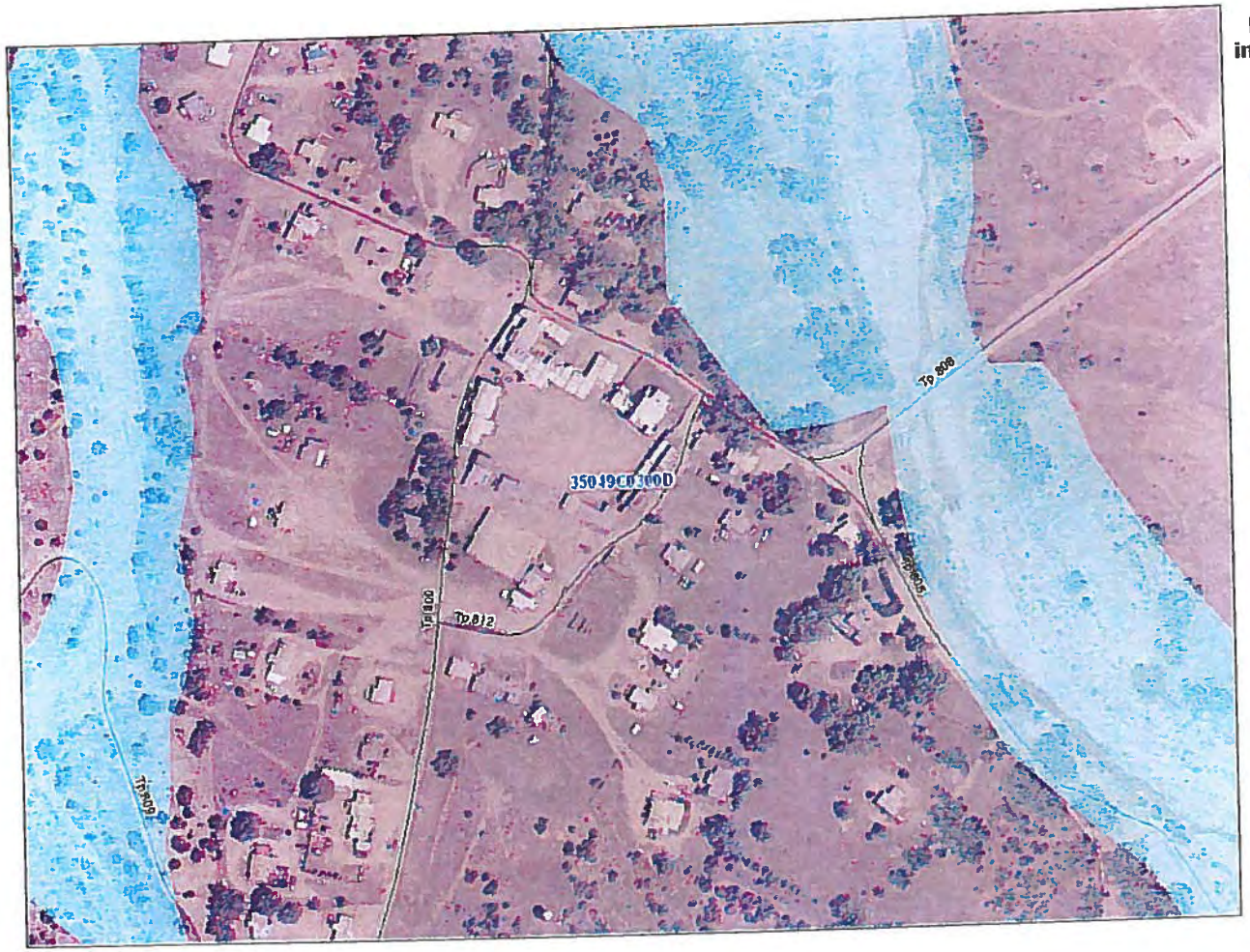
Blue: Band_3

Listing #73001149
Pueblo of Tesuque
8 mi. N of Santa Fe on W bank of Tesuque River, Santa Fe

The property is partially located within FEMA 100 year floodplain FIRM panel #35049C0300D the main buildings are in Zone X and the area of floodplain is Zone A.

This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.



Map of Property in Santa Fe County

Legend

FEMA Firm Panels

2008 FEMA Flood - SDE

500 Year

100 Year

GPS Roads - SDE

Minor Roads

Major Roads

Parcels - SDE

op2008_sfco.ecw

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

Listing #74001206
San Ildefonso Pueblo
SW of Espanola of NM 4, Espanola

The property is partially located within FEMA 100 year floodplain FIRM panel #35049C0150D the main buildings are in Zone X and the area of floodplain is Zone A.

This site is not likely to ever be chosen as suitable location for the placement of storm water system improvements.

This historic property is in the path of stormwater and allowable non-stormwater discharges based on the FEMA one-percent annual chance flood. Construction activities are not planned to install BMP's to control such discharges here.

Map of Property in Santa Fe County

Legend

FEMA Flrm Panels

2008 FEMA Flood - SDE

500 Year

100 Year

GPS Roads - SDE

Minor Roads

Major Roads

Parcels - SDE

op2008_sfco.ecw

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

Appendix C
Suggested Notice of Intent Format

Appendix C: Suggested Notice of Intent Format

EPA suggests using the following format as an attachment to a cover letter to submit the Notice of Intent information required under Part 3.2 of the permit.

1. Legal Name of the MS4 Operator: _____
   Mailing address: _____
   _____
   _____
   _____

   Contact Person _____ _____
   Telephone Number _____

2. Operator is a ___Federal ___State ___ Tribal ____ other public entity (check one)

3. The MS4 is located in the _____ urbanized area or _____core municipality or Indian reservation/pueblo (if not located in an urbanized area);
   in_____county(ies),
   and the latitude and longitude of the approximate center of the small MS4 is
   _____

4 The major receiving water(s) are _____.
   Does the MS4 discharge to any waters for which an TMDL applicable to discharges from the MS4 has been approved ___Yes ___ No ____N/A? (See Part 1.4.8)

5 The MS4 ____ is ___ is not ____ is partially located on Indian Country lands. 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 8)

6 If the MS4 operator is relying on another governmental entity to satisfy one or more permit obligations (see Part 5.4), the identity of that entity(ies) and the element(s) the entity(ies) will be implementing ____N/A _____ Required information attached

7. A description of the storm water management program (SWMP), including best management practices (BMPs) that will be implemented and the measurable goals for each of the storm water minimum control measures specified in Part 5.2 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, and the supporting documentation required by Parts 1.5 and 1.6. is attached.

8. *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.*

Signed: _____ Date: _____
Printed Name _____

Note: Collection of Notice of Intent information required under 40 CFR 122.33(b)(1) is covered under Paperwork Reduction Act Information Collection Request # 1820.03, OMB NO.: 2040-0211, Expiration Date: 06/30/2006

Attachments

1. Description of the storm water management program (SWMP), including best management practices (BMPs) that will be implemented and the associated measurable goals.

2. Summary of issues raised in any local public comments received by the MS4 Operator on the draft NOI/SWMP and MS4 operator's responses.

3. Description of how the Part 1.5 eligibility criteria for listed species and critical habitat have been met (see Part 1.5 and Appendix A)

4. Description of how the Part 1.6 eligibility criteria for historic properties have been met (see Part 1.6 and Appendix B).

5. If the MS4 discharges to a receiving water for which EPA has approved or developed a TMDL, describe how the eligibility requirements of Part 1.4.6 have been met.

Appendix D
Suggested Annual Report Format

Appendix D: Suggested Annual Report Format

EPA suggests using the following format to submit the Notice of Intent information required under Part 5.8 of the permit.

MS4 ANNUAL REPORT

Check box if this is a new name, address, etc. ☐

A. PERMITTEE INFORMATION

Permit Number: _____

Permittee: _____
Mailing Address: _____
City, State and Zip Code: _____
Phone Number: _____

Have any areas been added to the MS4 due to annexation or other legal means? ☐YES ☐NO
If YES, include updated map.

B. REPORTING PERIOD _____ to _____

C. PROGRAM AREAS (ATTACHMENTS)
As an attachment, address each of the following items for **each** of the six program areas (public education, public participation/involvement, illicit discharge detection and elimination, construction, post-construction, and good housekeeping for municipal operations). The status of each program area must be addressed, even if the program area was completed and fully implemented in a previous reporting year. *Help on the items is included in italics.*

If another entity does not have its own permit but is instead covered under your permit, the Annual Report information under Section C must also be provided for each such entity. (Depending on the size of the MS4 and the complexity of the programs, the attachments for this section will likely comprise 1 to 5 pages per program area.)

1. Implementation status.

a. General summary

b. Program elements changed or refined since previous report or permit application.
Include a summary of any changes made in accordance with Part 5.5 of the permit.

c. Status of Measurable Goals
Provide:
i. The completion date for any measurable goals completed during the reporting period.
ii. An explanation for any measurable goals scheduled for completion during the reporting period that were not completed. (Any modified goals/deadline should be listed in Item 5, below.)

2. Overall compliance with permit conditions.

a. Assessment of the appropriateness of the identified BMPs.
Factors to consider in determining appropriateness include, but are not limited to, effectiveness for local population, pollution sources, receiving water concerns, and integration with local management procedures.

b. Progress towards achieving the statutory goal of reducing the discharge of pollutants to the Maximum Extent Practicable (MEP).
Include a general discussion on your assessment of the overall program effectiveness at protecting water quality.

3. Results of information collected and analyzed, if any, during the reporting period, including any monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP.
Discharge monitoring is not a requirement under the permit. However, if you did collect any monitoring data for stormwater discharges within your jurisdiction, or if any program element included data collection of some sort, you must submit a short summary of the information and any analysis completed. Examples of data sources include survey/polling results, miles of riverbank cleaned up, number of hits on a website before and after a public education campaign, etc. (Data recorded under Item 1.c, Measurable Goals, does not need to be repeated here.)

4. Brief summary of storm water activities you plan to undertake during the next reporting cycle (including an implementation schedule).
Provide a short summary based on your existing Storm Water Management Program implementation schedule. If any changes are planned from the original descriptions provided in the application or previous reports, they should be summarized in Item 5.

5. Proposed changes to the program area.

a. Changes to BMPs

b. Changes to Measurable Goals
Provide a summary of proposed changes and/or additions to information previously submitted in reports or the permit application. Significant changes that involve replacing or deleting an ineffective or unfeasible BMP may require EPA review as outlined in Part 5.5 of the permit.

6. Statement, if not included in previous reports or application, that you are relying on another government entity to satisfy some of your permit obligations (if applicable).
Another entity may be relied on to perform requirements of your MS4 permit. However, as the permittee, you remain liable for compliance with the terms of the permit if the requirements are not fulfilled. You must complete this Annual Report for the geographic areas covered under your permit, for all program areas, even if one or more program elements is being performed by another entity. (However, if you are performing a program element for another permittee, you do not need to include that activity in this report.)

7. A summary of the number and nature of inspections and formal enforcement actions performed.
Site-specific information may also be included, but is not required. (Information recorded under Item 1.c, Measurable Goals, does not need to be repeated here.)

8. **Documentation on compliance with public access, review, and comment provision of Part 1.3 of the permit.**
Describe when and how the public had the opportunity to review and comment on the Annual Report and Storm Water Management Program. Summarize any public comments and your response to those comments.

D. 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 of Permittee (legally responsible person)
Date Signed
Name & Title(printed)

Note: Collection of Annual Report information required under 40 CFR 122.34(g)(3) is covered under Paperwork Reduction Act Information Collection Request # 1820.03, OMB NO.: 2040-0211, Expiration Date: 06/30/2006

Appendix E
Providing Comments or Requesting a Public Hearing on an MS4 Operator's NOI

NOTICE

Santa Fe County National Pollution Discharge Elimination System

Santa Fe County is developing a stormwater management program to reduce the discharge of pollutants being introduced into the MS4, channels, water courses, water, or waters of the US within Santa Fe County in order to obtain a permit as required by the Environmental Protection Agency.

A draft of the Notice of Intent for the MS4 Stormwater Management Plan and Program is available on the Santa Fe County Web site at the following link: http://www.santafecountynm.gov/news_detail/1727

Public comments can be submitted to:

Santa Fe County Public Works Department
Attn: Paul Kavanaugh
P.O. Box 276
Santa Fe, New Mexico 87504-0276
Email: pkavanau@santafecountynm.gov
Phone: (505) 992-3026

Legal#95013
Published in the Santa Fe New Mexican on: March 27, 2013

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. EPA would like to point out that the permit itself has already done through the NPDES notice and comment public participation process required by 40 CFR 124.10 and is not being reopened.

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, WORDPERFECT, PDF, or TEXT 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. Diane Smith at **smith.diane@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: Diane Smith
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.).

Since the general permit went through the NPDES publication participation process as it was issued, a hearing request will only be granted for issues related to the MS4 Operator's NOI submittal and not on the permit itself.

F. How Will EPA Announce a Pubic 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. Diane Smith (see paragraph D).