

Bernalillo County, New Mexico
Notice of Intent
National Pollutant Discharge Elimination System
Phase 11
Submittal to the United States Environmental Protection Agency

Notice of Intent information required under Part 3.2 of the permit.

1. Information on Permit Applicant:

Legal Name of MS4 Operator: Bernalillo County
Mailing address: One Civic Plaza
Albuquerque, NM 87102
Contact Person: Tim West, Deputy County Manager
Telephone Number: (505)848-1500

2. Operator is a federal a Tribal (County Government) other public entity (check one)

3. The MS4 is located in the Albuquerque, NM; in Bernalillo County county(ies). and the latitude and longitude of the approximate center of the small MS4 is: Latitude - 35° 2' 18" N and Longitude - 106° 40' 46" W.

4. The major receiving water(s) are Middle Rio Grande. Does the MS4 discharge to any waters for which a TMDL applicable to discharges from the MS4 has been approved Yes No N/A?

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 ~ ~ 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 5.3 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 I.5 and I.h. 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:


Thaddeus Lucero, County Manager

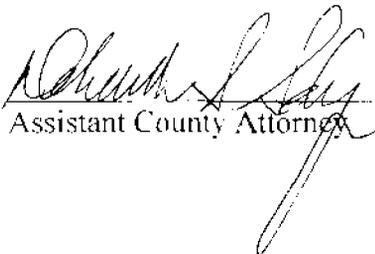
3/14/07
Date

Recommended by:


Tim West, Deputy County Manager

3-13/2007
Date

Approved as to form only:


Assistant County Attorney

3/13/2007
Date

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.: 20400211, Expiration Date: 06/30/2006 7

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

BERNALILLO COUNTY
BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. AR15 -2003

1 **AUTHORIZING SUBMITTAL OF THE NOTICE OF INTENT AND STORM WATER**
2 **QUALITY MANAGEMENT PLAN TO THE UNITED STATES ENVIRONMENTAL**
3 **PROTECTION AGENCY IN ACCORDANCE WITH THE NATIONAL POLLUTION**
4 **DISCHARGE ELIMINATION PHASE II REGULATIONS.**

5
6 **WHEREAS,** the National Pollution Discharge Elimination System Phase II regulations were published in the Federal Register (40 CFR Parts 9, 122,123 and 124); and

WHEREAS, Bernalillo County was identified as a jurisdiction that must comply with these Phase II regulations; and

WHEREAS, by March 10,2003, Bernalillo County must submit a Storm Water Quality Management Plan (S WQMP) and Notice of Intent (NOI) to the United States Environmental Protection Agency (USEPA); and

WHEREAS, Bernalillo County has conducted public meetings to seek public comment on the Storm Water Quality Management Plan; and

WHEREAS, Bernalillo County has prepared a Storm Water Quality Management Plan in accordance with the requirements of this un-funded Federal mandate;

NOW, THEREFORE BE IT RESOLVED, that Bernalillo County does hereby authorize submittal of the Notice of Intent and Storm Water Quality Management Plan to the United States Environmental Protection Agency in compliance with the National Pollution Discharge Elimination System Phase II regulations. The Board further resolves that the Bernalillo County Manager is authorized to execute the Notice of Intent for submittal to the
22 USEPA, as well as any reports and other information required or requested by USEPA.

CONTINUATION PAGE 2, RESOLUTION NO. 15-2003
AUTHORIZING SUBMITTAL OF THE NOTICE OF INTENT AND STORM WATER
QUALITY MANAGEMENT PLAN TO THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY IN ACCORDANCE WITH THE NATIONAL POLLUTION
DISCHARGE ELIMINATION PHASE II REGULATIONS.

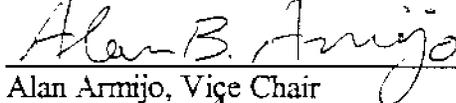
IN WITNESS WHEREOF, the above Resolution was adopted this 11th day of February,
2003.

APPROVED AS TO FORM ONLY:


County Attorney

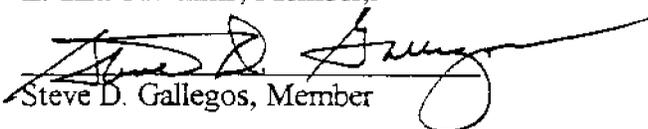
BOARD OF COUNTY COMMISSIONERS


Tom Rutherford, Chair


Alan Armijo, Vice Chair


Michael Brasher, Member


E. Tim Cummins, Member,


Steve D. Gallegos, Member

ATTEST:


Mary Herrera, Clerk

LIST OF ABBREVIATIONS

CSD-BZP	Community Services Division, Building Planning and Zoning Department
CSD-OEH	Community Services Division. Office of Environmental Health
CSD-PR	Community Services Division, Parks and Recreation Department
PSD-AC	Public Safety Division, Animal Care Department
PWD-Fleet	Public Works Division, Fleet Management Department
PWD-FM	Public Works Division, Facility Maintenance Department
PWD-08M	Public Works Division, Operations and Maintenance Department
PWD-SW	Public Works Division, Solid Waste Department
PWD-TP	Public Works Division, Technical Planning Department
PWD-TS	Public Works Division, Technical Services Department



BERNALILLO COUNTY PUBLIC WORKS DIVISION
2400 BROADWAY SE, ALBUQUERQUE, NM 87102
(505) 848-1500

INFRASTRUCTURE PLANNING DEPARTMENT

MEMORANDUM

DATE: March 8, 2007
TO: File
THRU: Mary Murnane, Water Resources Program Manger
FROM: Patricia Dominguez, Water Resources Planner
Rc: Summary of issues raised in local public comments on draft NOI/SWMP" and operator-s response

Two meetings were held to elicit public comment on Bernalillo County's NPDES permit application. The first meeting was held on January 31, 2007. Five people attended this meeting and the only significant comment that was received recommended that the County send a copy of the draft application to the Neighborhood Associations to distribute for comment at their individual meetings.

The County followed this recommendation and mailed a draft copy of the NPDES permit application along with its supporting documents to the various Neighborhood Associations. No comments have been generated as yet from this mail out.

Should any comments be received after the County's NPDES application has been approved these comments will be saved and reviewed during the yearly reporting and update process to the SWMP.

A second meeting was held February 1, 2007. Two people attended this meeting and no significant comments were received at this meeting.



BERNALILLO COUNTY PUBLIC WORKS DIVISION
2400 BROADWAY SE, ALBUQUERQUE, NM 87102
(505) 848-1500

INFRASTRUCTURE PLANNING DEPARTMENT

MEMORANDUM

DATE: March 8, 2007

TO: File

THRU: Mary Murnane, Water Resources Program Manager

FROM: Patricia Dominguez, Water Resources Planner

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

The New Mexico Environment Department (NMED) developed a TMDL for fecal coliform bacteria for the reach of the Rio Grande that Bernalillo County discharges its stormwater.

The County's Stormwater Quality Management Plan fully details the various Best Management Practices (BMP) that the County is utilizing to meet the eligibility requirements for coverage under the general permit.

Bernalillo County Stormwater Quality Management Plan

Supporting Documentation for the National Pollutant Discharge Elimination System
(NPDES) Phase II Application

April 1, 2007

Public Education and Outreach on Storm water Impacts

1. 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 water bodies and the steps that the public can take to reduce pollutants in storm water runoff. For the purposes of this permit:
 - 1.1. Traditional municipal entities such as cities, counties and tribes, etc. must address the general public being served by the MS4.
Bernalillo County (County) will conduct an educational outreach program to the general public regarding the impact of storm water discharges and mitigation factors via appropriate media, including brochures, flyers, pony panels, etc. The County will also make available "household hazardous waste wheels" that provide information on reducing the use of hazardous materials in the home and a reminder that this reduction also impacts storm water. These wheels will be distributed during our household hazardous waste quarterly collection events and available at the hazardous waste collection center. Specific audiences, such as restaurant and pet owners, will be advised of their impact on storm water during the licensing process.
 - 1.2. 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.
This section does not apply to the County because it is a traditional municipality.
 - 1.3. 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.
This section does not apply to the County because it is not a Department of Transportation.

Include the following information in the SWMP:

- 1.4. A description of the education program and outreach activities;
The County will conduct an educational outreach program to the general public regarding the impact of storm water discharges and mitigation factors via appropriate media, including brochures, flyers, pony panels, etc. Storm drains will also be marked to indicate that they drain to the river.

The County conducts media campaigns (television and radio advertisements) that focus on educating the public about negatives effects that pet waste, illegal dumping, floatables, and litter in general have on water quality. The media campaigns are timed to air during the monsoon season with the expectation that they will be most effective during this time.

Currently, the County conducts quarterly household hazardous waste collection events. We also contract with a local hazardous waste company that operates a stationary **collection** center **whose services** are available to the public. The **County** will make available "household **hazardous** waste **wheels**" that **provide** information on reducing the use of hazardous materials in **the home** and reminder that this reduction also impacts storm water at **these** events. Specific audiences, such as **restaurant** and pet owners, will be advised **during the** licensing process of **how** grease and oil and pet waste impact storm water.

- 1.5. A description of the methods for disseminating information:

The County will conduct an educational outreach **program** to the general public **regarding** the impact of storm water discharges and mitigation factors via appropriate media, including brochures, flyers, pony **panels, etc.** Storm drains will also be marked to indicate that they **drain** to **the** river.

The County conducts media campaigns (television **and** radio **advertisements**) that **focus** on educating the public about negatives effects that **pet waste, illegal** dumping, floatables, and **litter** in **general** have on **water** quality. The media campaigns **are timed** to air during **the monsoon** season with the expectation that **they will be** most **effective** during this time.

Currently, the County, along with the City of Albuquerque, conducts quarterly **household** hazardous waste collection events. We also contract with a local **hazardous waste** company that operates a stationary collection center **whose** services are available **to the public.** **The County will** make available "household **hazardous** waste **wheels**" that **provide** information on reducing **the** use of **hazardous materials** in **the home and** reminder that this reduction also impacts **storm** water at these events. Specific audiences, such as restaurant and pet **owners,** will be **advised** during the licensing process of how grease and oil and pet waste impact storm water.

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

Our target **audiences** for **our educational** program include the general public, **restaurant and pet owners.** **We will** also **conduct** educational outreach to the construction industry. These **target audiences** were selected based on how the Phase II Storm Water regulations will impact **them** and also in response a study done that showed pet waste as a significant contributor of pollution to the river.

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

Our target audiences are the general public via **television** and radio **broadcast,** homeowner associations, environmental groups, **the** construction industry, restaurant owners **and** pet owners. The County's **population** is 58.0% **Non-**

Hispanic and 42.0% Hispanic, according to 2000 **Census** data.¹ The median household **income** in Bernalillo **County** is **\$38,788** with 10.2% of the population **living below the poverty level.**²

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

BEST MANAGEMENT PRACTICE	GOAL
Educate the general public on storm water issues via appropriate media, including brochures, flyers, pony panels, etc.	Promote better public awareness of stormwater quality issues as part of the public education and outreach requirements of the permit.
Educate the general public on storm water issues via appropriate television and radio broadcast.	Promote better public awareness of stormwater quality issues as part of the public education and outreach requirements of the permit.
Storm drains will be marked to indicate that they drain to the river.	Promote better public awareness of stormwater quality issues as part of the public education and outreach requirements of the permit.
Inform pet owners and pet related business of impact of pet waste on storm water.	Promote better public awareness of stormwater quality issues as part of the public education and outreach requirements of the permit.
Septic System/Alternative Systems (Training and Outreach).	Certification of all waste water evaluators in state (200) and educate public on proper septic system maintenance.
Inform restaurant owners of impact of improper disposal of grease and oil on storm water.	Promote better public awareness of stormwater quality issues as part of the public education and outreach requirements of the permit.

¹ Consensus 2000 P.L 04-171 Redistricting Data (University of New Mexico. Bureau of Business & Economic Research).

² U.S. Census Bureau website. 2000 census data for Bernalillo County.

Provide drop-off center for Household Hazardous Waste	To prevent the improper disposal of household hazardous waste and to notify the public of the impact of improper disposal on stormwater.
Provide information on stormwater quality and BMPs to the public on the County Webpage.	Maintain Stormwater Quality Information on the County website.
Provide receptacles for plastic bags for pet waste collection.	Make receptacles available at 4 facilities where the need has been observed.
Install signs reminding pet owners to pick up after their pets.	Add signs at one facility a year.

Given the County's extremely limited resources, these measurable goals were selected based upon the total population impacted, cost, **and practicality of implementation.**

- 1.9. Dates by which the permittee will achieve specific measurable goals; and See attached BMP matrix for the **timeline**
- 1.10. The name of the person(s) or position responsible for implementing and coordinating the education activities.
The PWD will be responsible for **the** overall management and **implementation** of the SWQMP. **The Parks & Recreation Department, Animal Control Department Operations & Maintenance, and the Office of Environmental Health** are responsible for specified BMPs. The Water Resources Program will coordinate between **departments** for **implementation** of the SWQMP.

Public Involvement/Participation

2. Develop and implement a plan to encourage public involvement and participation in the development and implementation of the SWMP.
 - 2.1. Develop and implement a plan to encourage public involvement and participation in the development and implementation of the SWMP.
Prior to the development of the Storm Water Quality Management Program (SWQMP), the County sponsored four meetings to receive public input. Over 800 flyers were sent to neighborhood associations, homebuilders associations, **and** other **community** organizations in September **and** October of 2002. Fewer than 10 participants **attended the** meetings. **After each** department submitted **their** BMPs, two additional meetings **were** held to give the public an **opportunity** to participate in the decision-making process. Over 200 notices were **sent** to neighborhood associations and other civic groups. The **meetings** were advertised

in area newspapers and less than a total of twenty individuals attended both meetings. In addition to these meetings, PWD Technical Planning staff met on several occasions with the Central New Mexico Homebuilder's Associations and the Associated General Contractors to discuss the construction and post-construction section of the proposed regulations. Also, two public hearings were convened as part of the Storm Drainage Ordinance revision process.

In 2007, two public meeting were held to solicit public comment and involvement. Internal meetings with each department affected by NPDES were also held so that updates could be made to the BMPs for their department.

The public was notified about the times and dates of the meeting by posting a notice in the newspaper and also by publishing the notices on the County's website.

The County participates in the Middle Kio Grande Water Quality Work Group activities. The Work Group members consist of government agencies, tribal governments, environmental groups, and individual concerned citizens. The Work Group provides an opportunity for the public to be involved in water issues concerning the Rio Grande.

The County participates in the Water Protection Advisory Board (WPAB) activities. The WPAB is a quasi governmental agency that is a collaboration between Bernalillo County and the City of Albuquerque. The WPAB provides oversight, review, and comment on water protection activities. The WPAB provides an opportunity for the public involved in water issues.

- 2.2. Develop and implement a process by which public comments to the plan are received and reviewed by the person(s) responsible for the SWMP:

The public will be notified about the times and dates of meetings by posting a notice in the newspaper and also by publishing the notices on the County's website.

Interested citizens will have the opportunity to provide public comment at public meetings and may also contact the County on an ongoing basis through the County website. Contact information for all departments is available on the County's website at all times.

Should there be significant comments made at the public meetings or at another time changes will be made where appropriate. A second round of public meetings will be held at this point to further discuss the changes made at the request of the public.

- 2.3. 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; and
The NOI and the SWMP will be made available to the public via the County's

website and should an interested citizen lack internet access they may contact the PWD for a paper copy.

Include the following information in the SWMP:

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

The **County** conducts media campaigns (television and radio advertisements) **that** focus on educating the public about **negatives** effects **that** pollution has on **stormwater quality**. **All media messages will provide** contact information to the public.

The County **will** continue to engage **the** public **through** public **meetings** and exhibits at environmental events. **Stormwater** information will also be available on the **County website** and **distributed** at **our offices**. Additional information will **be** available at the **Hazardous Waste Collection Center** and during **hazardous waste collection** events.

The **County** participates in the Middle Rio **Grande** Water **Quality** Work Group **activities**. The Work Group members consist of government agencies, tribal **governments**, environmental groups, and individual **concerned** citizens. The Work Group provides an **opportunity** for **the** public to **be** involved in **water issues** concerning the **Rio Grande**. This group meets an average of **four times a year**.

The **County** **participates** in the Water Protection Advisory Board (WPAB) **activities**. The WPAB is a quasi governmental agency **that is a collaboration** between **Bernalillo County** and the City of **Albuquerque**. The **WPAB** provides oversight, review, and comment on water protection activities. The WPAB provides **an** opportunity for **the public** involved in water issues. The WPAB **has** monthly board meetings.

2.5. The types of activities for public involvement that the program will include and the target audience;

The County will continue to engage the **general** public **our target** audience via television **and radio** broadcasts, **public meetings**, exhibits at environmental **events**, stormwater quality **information available** on the **County website**, and **information** distributed **through our offices**.

The County's participation in the Middle **Rio Grande** Water **Quality** Work Group **and** the Water Protection Advisory Board provide the opportunity for the public **to be** involved and informed about activities **and initiatives** that will **improve stormwater** quality. The two groups invite public **participation** as **part** of their protocol.

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

The public will be notified about the times and dates of meetings by posting a notice in the newspaper and also by publishing the notices on the County's website.

Interested citizens will have the opportunity to provide public comment at public meetings and may also contact the County on an ongoing basis through the County website. Contact information for all departments is available on the County's website at all times.

Should there be significant comments made at the public meetings or at another time changes will be made where appropriate. A second round of public meetings will be held at this point to further discuss the changes made at the request of the public.

2.7 An explanation of how interested parties may access the NOI and the SWMP; The NOI and the SWMP will be made available to the public via the County's website and should an interested citizens lack internet access they may contact the PWD for a paper copy.

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

BEST MANAGEMENT PRACTICE	GOAL
Seek public participation in review and revision of the SWQMP.	Conduct public meetings annually to seek input on the plan.
Seek public participation in review and revision of the SWQMP.	Maintain Stormwater Quality Information on the County website.
Comply with applicable state federal and local laws for public notice.	Compliance with laws.

Given the County's extremely limited resources, these measurable goals were selected based upon the total population impacted, cost, and practicality of implementation.

2.9. Dates by which the permittee will achieve specific measurable goals;
See attached BMP matrix for the timeline

2.10 The name of the person(s) or position(s) responsible for implementing and coordinating the public involvement/participation activities: and
The PWD-WRS is responsible for **the overall management and implementation of the SWQMP.**

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

Prior to the development of our Storm Water Quality Management Program (SWQMP), the County **sponsored** four meetings to receive public input. **Over 800 flyers** were sent to neighborhood associations, **homebuilders** associations, **and other** community **organizations** in September and October of **2002**. **Fewer than 10** participants **attended the** meetings. After each department **submitted** their BMPs, **two** additional meetings were held to give the public an opportunity to participate **in** the decision-making process. **Over 200** notices were sent to **neighborhood** associations and **other civic** groups. The meetings **were** advertised in area newspapers and less than a total of **twenty** individuals attended both meetings. **In addition** to these **meetings**, PWD Technical Planning staff met on **several** occasions with **the** Central New Mexico **Homebuilder's** Associations and the Associated **General Contractors** to discuss the **construction and post-construction section** of **the** proposed regulations. Also, **two** public hearings were **convened** as **part of the Storm Drainage Ordinance revision process.**

In 2007, two public meetings were held to solicit public **comment and** involvement. Internal **meetings** with **each** department affected by NPDES were also held so **that updates** could be made to **the** BMPs for their **department.**

The public was notified about the times and dates of **the** meeting by **posting** a notice in the **newspaper** and also by **publishing** the notices on the County's **website.**

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

The public has been **notified** in accordance **with State, Tribal** and local **public** notice **requirements.**

Illicit Discharge Detection and Elimination

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

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

As part of **the** County's on-going **maintenance of our storm** drainage facilities, these facilities **are** inspected on a regular basis. County storm **drain** maintenance crews **inspect in dry** weather for any dry weather **flow**. If such flows are found, the **crew** will track the flow back to **the** source, find the cause of **the** discharge

and inform the **property owner** of the non-storm water discharge. If the non-storm water discharge has not **been identified** as a significant contributor of pollutants, then no **corrective** action **would be** required. **Bernalillo County does** not **anticipate** that many, if any, dry weather **flows will** be found, primarily because the **County's** roadway storm drain **system** is not extensive.

- 3.2. 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);

The PWD has developed a storm water sewer map using Global Positioning System data. This map indicates **outfall** and **storm** drain locations, as well as the locations of Public Works **maintenance** facilities. This map is a part of the SWQMP and will be **maintained** as such. This will occur on an **ongoing basis as** facilities are added to our maintenance schedule **they** will be added **to** our map.

- 3.3. 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);

The Solid Waste Ordinance Section 70-42 (See Appendix B) specifies that if **three** pieces of evidence with an individual's name **and** address are found at an illegal **dumpsite**, that this constitutes proof of violation **of the** ordinance. **Upon** **discovering** this evidence, **the County** allows the violator to clean up the site at their cost. If **the** violator refuses, then the case is sent to **court** for prosecution. Once an **illegal dumpsite has been** cleaned, **the County seeks** to restrict access, and also **posts** signs that inform the public that illegal dumping is prohibited.

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

The County PWD – Solid Waste Department has an illegal dumping **program** and also **the issue** is addressed in **the County's** Solid Waste Ordinance. **The Solid Waste Ordinance Section 70-42 (See Appendix B) specifies** that if **three** pieces of **evidence** with an individual's **name** and address **are** found at an illegal **dumpsite**, that **this** constitutes proof **of** violation **of the** ordinance. **Upon** discovering this **evidence**, **the County** allows the violator to clean up the site at their cost. If the violator **refuses**, then **the case is** sent to **court for** prosecution. Once an illegal dumpsite has been cleaned, **the County** seeks to restrict access, and also posts signs that inform the public that illegal dumping is **prohibited**.

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

Certain **appropriate employees will be given training** on the disposal of materials that may contribute to **the** pollution of storm water discharge.

Restaurant owners **will be advised of** the impact of the illegal disposal of oil **and grease on** storm water during **the business** licensing process.

The Technical Services Department of the PWD will provide information to construction companies as part of the **permitting** process. The **County** will also conduct training for **contractors and consulting** engineers.

The County will conduct an educational outreach program to **the general public** regarding **the** impact of storm **water discharges** and mitigation measures via appropriate media, including brochures, flyers, **pony panels**, etc. The County will also make available "**household hazardous waste wheels**" that provide information on **reducing the use of hazardous materials** in the **home** and a reminder that **this reduction also** impacts storm water. These wheels will **be** distributed **during our quarterly collection events** and available at the hazardous waste collection **center**. **Pet owners** will receive information about the impact of pet waste on storm **water** during the permitting and licensing process.

- 3.6. 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 ground waters, 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 fire fighting 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 water bodies, 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.

The County has not identified **water line** flushing, landscape **irrigation**, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as

defined at 40 CFR 35.2005 (20)), **uncontaminated** pumped ground water, discharges **from potable water** sources, foundation drains, air conditioning **condensation**, irrigation water, springs, **water** from crawl **space** pumps, footing drains, lawn **watering**, **individual** residential car washing, flows **from riparian habitats and** wetlands, dechlorinated swimming pool discharges, and street wash water as significant **contributors** of pollutants to our small MS4. The significant contributors of **pollutants** in **Bernalillo County** **are** animal and pet **waste** (fecal coliform bacteria), floatables, and drainage and grading (erosion and **sediment**).

- 3.7. 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.

As part of the County's on-going maintenance of our storm drainage facilities, **these** facilities are inspected on a **regular** basis. County **storm** drain maintenance **crews** inspect in dry weather for any dry weather flow. **If such flows are found, the crew will track the flow** back to the source, find the **cause of the discharge** and inform the property owner of **the non-storm water discharge**. If the **non-storm water** discharge has not **been identified** as a significant **contributor** of pollutants, **then** no **corrective** action would be **required**. **Bernalillo County** does not anticipate **that** many, if **any**, dry weather flows will be found, primarily because the County's roadway storm drain system is **not extensive**.

- 3.8. Address on-silt, sewage disposal systems that flow into the storm drainage system: If an illicit discharge **were identified as a significant** source of pollutants then the **property owner** would be apprised of the illicit discharge and requested to correct the **problem**. **Under the general police** powers of **the County**, the County can **seek** corrective action. **As part** of the review of the development of a comprehensive Storm Water **Quality Ordinance**, which the County **will** undertake during the first **permit** period, **additional** actions may be identified. Additionally **onsite systems are permitted by** the Office of Environmental Health (OEH). **If a discharge** is detected the OEH staff inspects and **requires** remediation **and system improvements**. **The County responds** to any contact from residents or from **the general public**.

Include the following information in the SWMP:

- 3.9. A description of detection methods;
County storm drain maintenance crews inspect in dry **weather** for **any dry weather flows**. **If such flows are found, the crew will track the flow** back to the

source, find the cause of the discharge and inform the property owner of the non-storm water discharge. If a discharge is detected the OEH staff inspects and requires remediation and system improvements. If the non-storm water discharge has not been identified as a significant contributor of pollutants, then no corrective action would be required. The County responds to any contact from residents or the general public. Bernalillo County does not anticipate that many, if any, dry weather flows will be found, primarily because the County's roadway storm drain system is not extensive.

- 3.10. 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.

If an illicit discharge were identified as a significant source of pollutants then the property owner would be apprised of the illicit discharge and requested to correct the problem. Under the general police powers of the County, the County can seek corrective action. As part of the review of the development of a comprehensive Storm Water Quality Ordinance, which the County will undertake during the first permit period, additional actions may be identified.

With reference to illegal dumping, the County has a proactive program to identify illegal dumpsites. As part of the NPDES Phase II permit, the County prioritization of illegal dump sites for cleanup will include an assessment of their impact on storm water runoff. Under the Solid Waste Ordinance the County prohibits illegal dumping and establishes penalties. These penalties include responsibility for cleanup or the cost of cleanup and legal action for non-compliance.

- 3.11. 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:

The Solid Waste Ordinance Section 70-42 (See Appendix B) specifies that if three pieces of evidence with an individual's name and address are found at an illegal dumpsite, that this constitutes proof of violation of the ordinance. Upon discovering this evidence, the County allows the violator to clean up the site at their cost. If the violator refuses, then the case is sent to court for prosecution. Once an illegal dumpsite has been cleaned, the County seeks to restrict access, and also posts signs that inform the public that illegal dumping is prohibited.

The County's Wastewater System Ordinance (Ord. No. 2006-1, § 1) which includes septic tanks under its jurisdiction is enforced by the Office of Environmental Health. The following penalties can be assessed for violating this ordinance.

- (1) Any violation of this division is a petty misdemeanor subject to criminal penalties as authorized by NMSA 74-1-10.
- (2) The county may appear and prosecute any misdemeanor proceeding if the appearance is by an employee authorized by the county to institute or cause to be instituted an action on behalf of the county.
- (3) The county, at its discretion, may elect to pursue criminal or civil penalties, or both, for any violations of this division.
- (4) The operation or maintenance of any wastewater system, or portion of a causes a nuisance, degrades or threatens to degrade surface or ground water, or creates a potential or actual health hazard, and is a public nuisance may be subject to abatement by a restraining order or injunction issued by a court of competent jurisdiction.
- (5) The county may contract with a maintenance person to provide services to a property which does not possess a valid maintenance contract and place a lien on the property to recover the county's costs.
- (6) Any person who violates any provision of this division shall be punished by a fine not exceeding \$300.00, imprisonment for a term not exceeding 90 days, or both. Each day of violation may be considered a separate violation.
- (7) Violations of this division that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent the granting of equitable relief.

- 3.12. 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 County has not identified water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005 (20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water as significant contributors of pollutants to our small MS4. The significant contributors of pollutants in Bernalillo County are animal and pet waste (fecal coliform bacteria), floatables, and drainage and grading (erosion and sediment).

Incidental non-storm water discharges form non-commercial or charity car washes, etc. are insignificant contributors of pollutant to our small MS4.

- 3.13. The methods for informing/training employees about illicit discharges:

Certain appropriate employees will be given training on the disposal of materials that may contribute to the pollution of storm water discharge.

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

Restaurant owners will be advised of the impact of the illegal disposal of oil and grease on storm water during the business licensing process.

The Technical Services Department of the PWD will provide information to contractors as part of the permitting process and will also conduct training for contractors and consulting engineers.

The County will conduct an educational outreach program to the general public regarding the impact of storm water discharges and mitigation factors via appropriate media, including brochures, flyers, pony panels, etc. The County will also make available “household hazardous waste wheels” that provide information on reducing the use of hazardous materials in the home and a reminder that this reduction also impacts storm water. These wheels will be distributed during our quarterly collection events and available at the hazardous waste collection center. Pet owners will receive information about the impact of pet waste on storm water during the permitting and licensing process.

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

BEST MANAGEMENT PRACTICE	GOAL
Residential Solid Waste Collection	Continuation of curbside collection and convenience center.
County Recycling Program	Include more items accepted and number of recycling participants
Green Waste Recycling Program.	Provide Green waste Collection to all County residents
Illegal dumping cleanups	Support code enforcement cleanup events and other illegal dumping cleanup efforts
Increase awareness of household hazardous waste collection events.	Increase mailings/notification of collection events.
Enforce Illegal Dumping Ordinance.	Decrease incidents of illegal dumping.
Inspect channels	Number of miles inspected per year.

Valley Utilities Project -- provide sewer connections to the South and North Valley.	Make sewer available to existing households where technically possible in the North and South Valley .
Develop and maintain a system map.	Map updated annually and provided with annual reports.
Sewer Connections/Partners in Protection of the Environment (PIPE).	Average 84 Sewer/Drinking Water Connections per year.
Household Hazardous Waste Collection Events.	To prevent the improper disposal of household hazardous waste.
Septic System/Alternative Systems.	400 waste water permits issued annually.

Given the County's extremely limited resources, these measurable goals were selected based upon the total population impacted, cost, and practicality of implementation.

3.16. Dates by which the permittee will achieve specific measurable goals; and
See attached BMP matrix for the timeline

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

The PWD will be responsible for the overall management and implementation of the SWQMP. The Solid Waste Department, Infrastructure Planning Geo-Resources, Operations & Maintenance, and the Technical Services Department are responsible for specified BMPs. The Water Resources Program will coordinate between departments for implementation of the SWQMP.

Construction Site Storm Water Runoff Control

4. 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);

4.1. 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);

The County has revised its Storm Drainage Ordinance (Appendix A) to incorporate additional requirements for construction sites disturbing one or more acre. The ordinance revisions require the construction operator to obtain a “Storm Water Quality Control” permit from the County.

- 4.2. 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;

The Storm Drainage Ordinance requires operators to comply with the small construction permit requirements of the Environmental Protection Agency (EPA). The ordinance also requires operators to certify that they have submitted a NOI to the EPA, and that operators submit their Storm Water Pollution Prevention Plan (SWPPP) to the County prior to the issuance of a Storm Water Quality Control permit. The County Engineer has the authority to require additional BMPs if he or she deems it necessary.

- 4.3. 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;

The Storm Drainage Ordinance incorporates land disturbances equal to or greater than one acre into the County Development Review process. All operators of sites disturbing one acre or greater must now obtain a permit from the County, which requires operators to comply with the small construction permit requirements of the EPA. The County Engineer has the authority to require additional BMPs if he or she deems it necessary to protect water quality. Prior to the approval of the permit, the County Engineer or their designee evaluates the completeness of the site plan with

respect to a number of considerations, one of which is protection of water quality and reduction of erosion and runoff.

- 4.4. 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;

The County Storm Drainage Ordinance has provisions for inspection of construction-phase storm water quality controls. The ordinance also has provisions for penalties for non-compliance with the requirements of the EPA permit, the SWPPP and any other County requirement. These penalties include stop work orders, denial of permits, including business permits, and liens on property. If the Public Works inspector determines that the construction controls are not properly installed or maintained, he or she may require corrective action. If the situation is not resolved, the inspector can issue a stop work order until the problem is corrected.

Include the following information in the SWMP:

- 4.5. 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;

Ord. No. 03-1, adopted Jan. 14, 2003, amended Art. III, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Art. III pertained to similar subject matter. Subsequently, Ord. No. 04-4, adopted Feb. 24, 2004, amended Art. III. See Appendix A for the entire text of the Stormwater Ordinance.

- 4.6. 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;

Ord. No. 03-1, adopted Jan. 14, 2003, amended Art. III, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Art. III pertained to similar subject matter. Subsequently, Ord. No. 04-4, adopted Feb. 24, 2004, amended Art. III. See Appendix A for the entire text of the Stormwater Ordinance.

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

The County Storm Drainage Ordinance has provisions for inspection of construction-phase storm water quality controls. The ordinance also has provisions for penalties for non-compliance with the requirements of the EPA permit, the SWPPP and any other County requirement. These penalties include stop work orders, denial of permits, including business permits, and liens on property. If the Public Works inspector determines that the construction controls are not properly installed or maintained, he or she may require corrective action. If the situation is not resolved, the inspector can issue a stop work order until the problem is corrected.

- 4.8. 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.:

The County Storm Drainage Ordinance has provisions for inspection of construction-phase storm water quality controls. The ordinance also has provisions for penalties for non-compliance with the requirements of the EPA permit, the SWPPP and any other County requirement. These penalties include stop work orders, denial of permits, including business permits, and liens on property. If the Public Works inspector determines that the construction controls are not properly installed or maintained, he or she may require corrective action. If the situation is not resolved, the inspector can issue a stop work order until the problem is corrected.

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

Interested citizens will have the opportunity to provide public comment at public meetings and may also contact the County on an ongoing basis through the County website. Contact information for all departments is available on the County's website at all times.

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

BEST MANAGEMENT PRACTICE	GOAL
Assist PW in identifying problems with construction phase BMPs.	BPZ inspectors to notify PWD inspectors of potential construction phase BMP compliance issues.

Implement Construction NPDES Phase II Requirements by Ordinance.	Revise existing ordinance.
Implement Post Construction NPDES Phase II Requirements by Ordinance.	Revise existing ordinance.
Inspection of one-acre or larger disturbed areas.	Inspect projects with one acre disturbed area intermittently during construction and at completion for proper installation of post construction BMPs.
Train inspectors in proper installation of construction phase BMPs.	Train Public Works inspectors annually on an as needed basis.
Train contractors in installation of construction phase BMPs.	Offer one training per year to contractors.
Hold workshops for County design engineers on construction and post construction BMPs.	Train engineers annually on an as needed basis.
Hold workshops with consultant design engineers on construction and post construction BMPs.	Conduct one training per year to design engineers and contractors.
Ensure compliance of County construction projects with one acre or greater disturbed area.	Inspect projects with one acre or greater disturbed area periodically during construction for proper installation of BMPs.

Incorporate post construction BMPs into design and construction of County facilities, one acre or greater disturbed area.

Develop design standards for County projects.

Given the County's extremely limited resources, these measurable goals were selected based upon the total population impacted, cost, and practicality of implementation.

4.11. Dates by which the permittee will achieve specific measurable goals; and
See attached BMP matrix for the timeline

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

The PWD will be responsible for the overall management and implementation of the SWQMP. The Technical Services Department and Building Planning Zoning are responsible for specified BMPs. The Water Resources Program will coordinate between departments for implementation of the SWQMP.

Post-Construction Storm Water Management in New Development and Redevelopment

5. Develop, implement, and enforce a program to address storm water runoff 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:

5.1. Develop, implement, and enforce a program to address storm water runoff 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:

As part of the development review process, Bernalillo County will evaluate site plans for projects disturbing one acre or more within the Urbanized Area. In this site plan review, the County will look for structural and non-structural BMPs that reduce runoff and/or improve the quality of storm water runoff. Post-construction non-structural BMPs include opportunities for cluster development, infill development and low-density residential development where appropriate. In addition, water conservation efforts can also reduce storm water runoff by diverting water from rooftops into landscape areas. All of these measures are provided for existing land use plans.

Also, the County's impact fee system typically assesses a fee for storm drainage based upon the amount of impervious cover that a development will create. This fee serves as an incentive for developers to reduce impervious area and thus reduce runoff volumes.

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

As part of the development review process, Bernalillo County will evaluate site plans for projects disturbing one acre or more within the Urbanized Area. In this site plan review, the County will look for structural and non-structural BMPs that reduce runoff and/or improve the quality of storm water runoff. Post-construction non-structural BMPs include opportunities for cluster development, infill development and low-density residential development where appropriate. In addition, water conservation efforts can also reduce storm water runoff by diverting water from rooftops into landscape areas. All of these measures are provided for existing land use plans.

Also, the County's impact fee system typically assesses a fee for storm drainage based upon the amount of impervious cover that a development will create. This fee serves as an incentive for developers to reduce impervious area and thus reduce runoff volumes.

- 5.3. 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;

The Flood Protection Ordinance (Appendix C) restricts development in flood plains, which include natural arroyos. These restrictions help create buffer areas near arroyos and natural drainage features. Typically, the arroyo then becomes a public drainage easement.

Bernalillo County has a proactive open space acquisition program. This program is funded through bond funds, and seeks to acquire and protect open space and agricultural lands. Over the first permit period, Bernalillo County will review the criteria for open space acquisition and look to incorporate storm water quality protection into these criteria. This could include purchase of buffer zones, sensitive areas and/or watershed restoration projects.

The County's Storm Drainage Ordinance requires:

All construction activities within the jurisdiction of the county shall conform to the requirements of the county engineer with respect to drainage control, flood control and erosion control. Original construction and modifications and/or additions to existing structures are excluded when they constitute less than 500 square feet, in plain view, or the county engineer determines will not

adversely affect other properties, arroyos, watercourses, or easements, by finding that the property of the proposed development is not within a designated 100-year floodplain as shown on the National Flood Insurance Program's flood insurance rate maps, and the proposed development will not alter, block or divert any arroyos, watercourses or swales. (Chapter 38-171)

The Building Planning Zoning Department requires development plans (Master, Sector, Area) in areas of new development that demonstrate how negative impacts of development will be mitigated.

- 5.4. **Ensure adequate long-term operation and maintenance of BMPs; and The County has revised the County Storm Drainage Ordinance to require maintenance of Post-construction BMPs. Maintenance of BMPs is the responsibility of the property owner up to the point where storm water enters County facilities. Requirements for maintenance and penalties for non-maintenance are described in the ordinance. Any facilities for which the County assumes ownership or maintenance will be maintained by the County. These facilities will then be addressed in the Good Housekeeping portion of our NPDES Phase II permit as a function of the PWD's O&M Department.**

Include the following information in the SWMP:

- 5.5. **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; Storm events in this region tend to be of short duration of high intensity. Storm water runoff is typically of high velocity. Structural and non-structural BMPs will seek to reduce velocities in order to reduce the amount of sediment flowing into the MS4. BMPs will also focus on diverting the first flush of storm water and reducing floatables, which are two significant contributors of pollutants within the MS4.**
- 5.6. **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; The County's Stormwater Ordinance Ord. No. 03-1: Post-Construction stormwater quality protection. For all development and redevelopment projects with land disturbances equal to or greater than one acre, including sites which disturb less than one acre but are part of a larger common plan of development, that discharge into the county's storm drainage system, within the urbanized area of the county, post-Construction water quality BMPs are required. This requirement is in addition to any other requirements that may apply. These BMPs shall be subject to the approval of the county engineer.**

Maintenance responsibility of stormwater quality control facilities is the responsibility of the property owner up to the point where stormwater enters public facilities.

- 5.7. A description of the procedure to ensure compliance with local requirements; **The County has revised the County Storm Drainage Ordinance to require maintenance of Post-construction BMPs. Maintenance of BMPs is the responsibility of the property owner up to the point where storm water enters County facilities. Requirements for maintenance and penalties for non-maintenance are described in the ordinance. Any facilities for which the County assumes ownership or maintenance will be maintained by the County. These facilities will then be addressed in the Good Housekeeping portion of our NPDES Phase II permit as a function of the PWD's O&M Department.**

Sec. 38-143. Violations of article; procedures for remedy; penalty.

(a) Notice of violation; noncompliance; abatement by county; lien. Where, after investigation, a notice has been issued by the county engineer to the owner of the property on which a violation has occurred and the order is not complied with, within such reasonable time as may be prescribed by the county engineer, or if the responsible party or violator cannot be found or determined, the county engineer may cause such remedies as are necessary to be made. The reasonable cost of such remedies shall constitute a lien against the property on which the violation occurred and was remedied. The lien shall be imposed and foreclosed in the manner provided in NMSA 1978, Sections 3-36-1--3-36-6.

(b) Notice of violation; noncompliance; abatement by county; other remedies. Where, after investigation, a notice has been issued by the county engineer to the owner of the property on which a violation has occurred and the order is not complied with, within such reasonable time as may be prescribed by the county engineer, the county may revoke or refuse to renew or issue any permit to the violator and/or the property owner until such remedies as are necessary are made, or if remedy is made by the county, until the cost of such remedies is paid to the county.

(c) Service of notice; publication; right to appeal. It shall be sufficient notice under the provisions of this section to make delivery of such notices by registered mail. If the name and address of the owner cannot be reasonably ascertained from the current county tax rolls and the premises are unoccupied, it shall be sufficient notice under this section to publish the notice in English in a newspaper of general circulation in the county once a week for four consecutive weeks. The owner of the property shall have the right to appeal pursuant to section 38-172.

(d) Penalty. Except as otherwise provided in this article, violations of this article are punishable as provided in Chapter 1, section 1-6 of the Bernalillo County Code.

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

Bernalillo County, the Albuquerque Metropolitan Arroyo and Flood Control Authority, and the City of Albuquerque have been conducting meetings to identify preferred BMPs for storm water quality management. These BMPs are both structural and non-structural BMPs. As this information is developed, the County will seek to make it available to developers and the general public.

The County sponsored two trainings that focused on storm water quality improvement issues. In 2006 the County sponsored two training taught by the International Erosion Control Association (IECA). The training were “The Best of the BMPs: Application, Implementation, and Maintenance” and “How to Write and Implement a Stormwater Pollution Prevention Plan”. The County paid the registration fee for 20 attendees who are Licensed P.E.s, Licensed Contractors, or Licensed Landscape Architects as part of our public outreach efforts. The County plans to continue twice annual trainings that focus on storm water quality improvement issues and will continue our outreach and educations efforts of the public and the construction community.

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

BEST MANAGEMENT PRACTICE	GOAL
Promote/encourage cluster development.	Use existing subdivision ordinance to allow for cluster development and increase number of cluster developments by 20%.
Promote/encourage development to reduce impervious cover.	Allow variances for certain roadway standards to reduce impervious cover.
Base drainage impact fees on amount of impervious surface.	Reduce impervious cover. Diminished disturbed areas.
Utilize Transfer of Development Rights.	Amend the Zoning Ordinance to include TDR criteria.

Encourage development within existing neighborhood and commercial nodes.	Adopt plans and policies which encourage utilization of existing commercial and residential infrastructure in identified areas.
Support/adopt low density residential planning areas where appropriate.	Adopt large lot zoning.

Given the County’s extremely limited resources, these measurable goals were selected based upon the total population impacted and the low cost and ease of implementation.

- 5.10. Dates by which the permittee will achieve specific measurable goals; and **See attached BMP matrix for the timeline**
- 5.11. The name of the person(s) or position(s) responsible for the development, implementation, and enforcement of post-construction storm water management. **While the PWD is responsible for the overall management of the SWQMP, the County’s Building, Zoning and Planning Department is responsible for all of the land-use BMPs specified as part of the post-construction storm water management program. The PWD is responsible for all structural BMPs identified.**
- 5.12.
- 5.13. adlskfjl

Pollution Prevention/Good Housekeeping for Municipal Operations

- 6. 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:
 - 6.1. 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:

The County will develop and implement training material based on the Storm Water Management Fact Sheet, EPA 832-F-99-010 and any future training guidance that EPA publishes. This training will include a thorough description of the Storm Water Management Plan, processes and materials that the staff works with, safety hazards, practices for preventing discharges, and procedures for responding quickly and properly to hazardous materials incidents. The information provided to employees on the impact of storm water contamination will be similar to the information provided to the general public under our public information BMPs. The staff currently receives training on the proper handling of hazardous materials and the impact of improper disposal of these materials on storm water will be added to the information.

- 6.2. Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to the small MS4; **See the chart included as part of the NOI and the BMPs listed below for the schedule of maintenance and inspection for storm drainage facilities.**

- 6.3. 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; and **The PWD's O & M Department will be responsible for road maintenance and storm drainage maintenance. One of the BMPs listed below is the construction of a cover for the salt storage facilities. The Fleet-Facilities Management Department of the PWD will be responsible for recycling hazardous materials in the shop, as well as maintaining the shop in an environmentally sound manner. (For specific BMPs and Measurable Goals, please see the chart below.)**

- 6.4. Procedures to properly dispose of waste removed from the small MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris; and **In the Urbanized Area, dredge soil or soil and debris from manholes, catch basins and storm lines is typically taken to the City of Albuquerque landfill after it has been de-watered at the Public Works yard. Floatables and other similar debris are also taken to the landfill. Sediment from ponds is frequently incorporated back into the walls of the pond. If it contains significant debris, it is taken to the landfill.**

- 6.5. 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;
As part of the County's good housekeeping BMPs, Bernalillo County residents have already approved funding for Storm Water Quality Structural Controls. This funding will be used to prioritize existing storm water facilities and identify appropriate controls to improve storm water quality coming into those facilities and exiting those facilities. Future storm water projects in the County will have requirements for water quality BMPs.

Include the following information in the SWMP:

- 6.6. A list of the municipal operations impacted by this operation and maintenance program;
The PWD's O & M Department will be responsible for road maintenance and storm drainage maintenance. One of the BMPs listed below is the construction of a cover for the salt storage facilities. The Fleet-Facilities Management Department of the PWD will be responsible for recycling hazardous materials in the shop, as well as maintaining the shop in an environmentally sound manner. (For specific BMPs and Measurable Goals, please see the chart below.)
- 6.7. 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 County does not own or operate any industrial facilities that are subject to EPA's MSGP or individual NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge into the City of Albuquerque's MS4.
- 6.8. The Multi-Sector General Permit (MSGP), or Individual NPDES permit for discharges of storm water associated with industrial activity:
The County does not own or operate any industrial facilities that are subject to EPA's MSGP or individual NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge into the City of Albuquerque's MS4.
- 6.9. A map showing the industrial facilities owned and operated by the MS4;
The County does not own or operate any industrial facilities that are subject to EPA's MSGP or individual NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge into the City of Albuquerque's MS4.

6.10. The EPA permit authorization number or a MSGP NOI form for each facility:
The County does not own or operate any industrial facilities that are subject to EPA’s MSGP or individual NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge into the City of Albuquerque’s MS4.

6.11. A description of the training program for municipal employees:
The County will develop and implement training material based on the Storm Water Management Fact Sheet, EPA 832-F-99-010 and any future training guidance that EPA publishes. This training will include a thorough description of the Storm Water Management Plan, processes and materials that the staff works with, safety hazards, practices for preventing discharges, and procedures for responding quickly and properly to hazardous materials incidents. The information provided to employees on the impact of storm water contamination will be similar to the information provided to the general public under our public information BMPs. The staff currently receives training on the proper handling of hazardous materials and the impact of improper disposal of these materials on storm water will be added to the information.

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

BEST MANAGEMENT PRACTICE	GOAL
Facility Management will notify the appropriate department when they observe problems or potential problems around the exterior of buildings they maintain.	Reduce stormwater quality concerns by identifying and correcting problems or potential problems.
Mow the shoulders of the roads instead of grading.	Reduce the amount of disturbed area on roadways where vegetation exists by increasing the number of road miles mown from 200 to 300.
Cover road salt storage areas in the urbanized area.	Keep salt dry and out of surface and/or groundwater.
Clean Roadways	Sweep 75 miles of Roadway quarterly
Inspect channels	Inspect 18 miles of channel per year.

Clean and Reshape Channels.	Remove 600 cubic yards (c.u.) of debris per year.
Inspect and Clean Storm Water Ponds.	Remove 600 cubic yards of debris from storm water ponds annually.
Inspect and Clean Storm Inlet/Outlet Structures.	Inspect and clean 705 structures per year.
Inspect Storm Sewers -- to inspect integrity of the system and also identify any dry weather flows.	Inspect 16 miles of storm sewer per year.
Clean Storm Sewer Lines	Clean 16,800 feet of storm sewer per year.
Inspect Culverts	Inspect 900 culverts every year.
Clean/Flush Culverts	Clean and flush 225 culverts per year.
Storm Water Lift Station Maintenance	Spend 240 hours per year maintaining storm water lift stations.
Mow Ponds and Channels	Mow 140 acres per year in storm drainage ponds and channels.
Training in appropriate safety, best management practices, regulations and other area as needed.	40 Hours per year.
Construct/Maintain a containment area for vactor truck debris.	Contain 10 to 20 loads per quarter for disposal.
Spills on shop floors captured using dry chemicals and stored in collection containers.	Prevent runoff of water and petroleum-based products by review of procedures and daily observation.
Used oils are captured and recycled	Recycle 100% of used motor oil.
All used antifreeze is captured and recycled.	Recycle 100% of used antifreeze.
All oil filters are drained, crushed and metal is recycled	Recycle 100% of used oil filters
On site drainage traps are maintained and pumped	Traps will be cleaned

Parts cleaners are reusable/recycled fluids	Continue to use water based parts cleaners
Staff are reviewed annually on use of hazardous chemicals and environmental practices.	100% of involved staff reviewed annually.
Storm Water Quality Structural BMPs.	Identify priorities and Install structural BMPs for stormwater facilities and County property.
Reduce fertilizer applications on park facilities.	Reduce fertilizer usage by 10%.
Use herbicides with short residual life at lowest effective concentration.	Use appropriate herbicides.
Move sprinkler heads away from curbs.	Reduce water usage and runoff from irrigation systems.
Put paths around perimeter of parks to reduce runoff to street.	Reduce water usage and runoff from irrigation systems.
Install low water use landscaping where appropriate.	Install xeriscape landscaping around parks and recreation facilities where appropriate.
Educate employees in plant science so that plants are cared for properly, without excess fertilizer or water.	Seminar training for 100% of involved employees.
Reduce turf areas where appropriate	Reduce runoff from irrigation systems by replacing turf areas with xeriscape.
Use short (syringe) cycles of watering instead of heavier water programs to eliminate runoff into streets and arroyos.	Reduce runoff from irrigation systems to less than three events per facility per year.
Use reduced pressure on irrigation system to reduce over-spray and misting.	Reduce runoff from irrigation systems to less than three events per facility.

Provide training and orientation to new employees through an employee handbook.	Increase employee awareness of best management practices and other job requirements.
Train employees in irrigation repair, installation and operation.	Seminar training for 100% of full-time employees.
Utilized licensed journeymen irrigation specialists when appropriate.	Ensure that qualified staff are overseeing the irrigation systems.
Provide additional trash containers at park facilities.	Keep trash off of the grounds, roadways and drainage facilities by providing 18 additional trash containers per year.
Install enclosed trash containers.	Keep trash off of the grounds, roadways and drainage facilities, by providing 5 new garbage containers that are inaccessible to dogs and storm events per year.
Pick up trash daily from park facilities.	Keep trash off of the grounds, roadways and drainage areas by collecting trash from facilities daily, and monitoring the volume of trash collected.
Improve grades on turf areas to eliminate runoff into streets and arroyos.	Retrofit turf areas where needed to reduce runoff.
Install silt boxes and cobblestone at runoff exits into arroyos.	Reduce runoff at facilities that drain to arroyos.
License/certify employees in 3-B herbicide spraying, including sprayer calibration, solutions and concentrations, laws and ethics through Dept of Ag. Program.	Ensure that 75% of involved full-time employees are fully trained in proper pesticide use.

Given the County's extremely limited resources, these measurable goals were selected based upon the total population impacted and the low cost and ease of implementation.

- 6.13. Dates by which the permittee will achieve specific measurable goals; and
See attached BMP matrix for the timeline

- 6.14. The name of the person(s) or position(s) responsible for implementing and coordinating employee training and pollution prevention activities.
The PWD is responsible for the overall management and implementation of the pollution prevention/good housekeeping program. Parks and Recreation, a department within the Community Services Division, is responsible for all BMPs listed below that are associated with maintaining County parks and recreational facilities.

NIPDS Public Involvement Participant

PRACTICE AREA	DEPT	BEST MANAGEMENT PRACTICE	GOAL	MEASUREMENT	START DATE	IMPLEMENT BY	START COST	FULL COST	INTERNAL CONTACT	COMMENTS	RESPONSIBLE PERSON
Public Involvement	PWD WRS	Seek public participation for review and revision of the SWQMP	Conduct public meetings annually to seek input on the plan	Minimum of two meetings per year	July 1, 2008	July 1, 2008	\$ 2000	\$2000 per year	Patricia Dominguez	New Cost for advertising and for meetings	Tim West Public Works Division Director
Public Involvement	PWU WRS	Seek public participation in review and revision of the SWQMP	Maintain Stormwater Quality Information on the County website	Number of visitors to stormwater quality information section of the website	July 1, 2008	July 1, 2008	\$ 500	\$ 600 per year	Patricia Dominguez		Tim West Public Works Division Director
Public Involvement	PWU WRS	Comply with applicable state, federal and local laws for public notice	Compliance with laws	Number of violators or complaints regarding public notice compliance	March 10, 2007	March 10, 2008	\$ 600	\$ 200 per year	Patricia Dominguez	New Cost for advertising	Tim West Public Works Division Director

PRACTICE AREA	DEPT	BEST MANAGEMENT PRACTICE	GOAL	MEASUREMENT	START DATE	IMPLEMENT BY	START COST	FULL COST	INTERNA CONTACT	COMMENTS	RESPONSIBLE PERSON
Water Discharge Detection and Elimination	PWD 001	Residents Waste Collection Station	Increase refuse collection in the North and South Valley	Number of new accounts year	July 2007	June 30 2008	\$4,500,000 in progress	\$1,500,000 per year	Kim McHugh	Initial station in the area estimated cost \$5,000,000. Implementation of the station program will cost the \$1.5M per year	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 014	Expand Curbside Recycling Program to include more of the area and eliminate carted out materials	Provide Transfer Station facilities to provide recycling collection	Percentage of recycling collected	July 2007	June 30 2008	\$30,000	\$45,000 per year	Kim McHugh	Cost Curbside Recycling Program is \$45,000 per year	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 005	Green Waste Recycling Program	Provide Green Waste Collection in the North Valley	Number of households of ground waste collected to composting facility	October 2008	June 30 2011	\$30,000 for equipment \$40,000 for contract	\$50,000 per year	Kim McHugh	Monitoring program was up to date. Operator uses Curbside Recycling program for North Valley	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 007	Expand County Transfer Station Capabilities	Increase the number of facilities who use these facilities	Number of transfers per station per year	March 10 2007	June 30 2011	\$500,000	\$400,000 per year	Kim McHugh	400,000 in operations per year	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 009	Increase awareness of household hazardous waste collection events	Increase mailings/notifications of collection events	Increase volume of refuse collected	March 10 2007	June 30 2011	\$1,000	\$1,000 per year	Kim McHugh	Initial mailings are up	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	CSD 014	Curbside Legal Dumping	Decrease amount of illegal dumping	Decrease number of complaints of illegal dumping	March 10 2007	March 10 2008	\$5,000	\$25,000 per year	Kim McHugh	Dissemination of information to the public as well as enforcement actions against violators of laws, ordinances, regulations or permits	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 020	Water Collection	Number of leaks reported per year	Number of leaks reported per year	March 10 2007	March 10 2008	\$5,000,000	\$5,000,000	Kim McHugh	Identify areas of concern, develop legal dumping, and establish to the public and housekeeping efforts	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 021	Water Collection	Make water available to households who are able	Number of available connections provided	March 10 2007	June 30 2011	\$200,000	\$1,000 per year	Hugh O'Neil	New City of that installation of funding	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 022	Water Collection	Make water available to households who are able	Make water available to households who are able	March 10 2007	March 10 2008	\$15,000	\$15,000 per year	Hugh O'Neil	Complete water collection activities with existing water lines and to drinking water lines	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 023	Water Collection	Make water available to households who are able	Make water available to households who are able	March 10 2007	March 10 2008	\$6,000	\$6,000 per year	Mary McHugh	Complete water collection activities with existing water lines and to drinking water lines	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	PWD 024	Water Collection	Make water available to households who are able	Make water available to households who are able	March 10 2007	March 10 2008	\$9,000	\$9,000 per year	George Schneider	Complete water collection activities with existing water lines and to drinking water lines	Kim McHugh, North Valley Director
Water Discharge Detection and Elimination	CSD 014	Water Collection	Make water available to households who are able	Make water available to households who are able	March 10 2007	March 10 2008	\$9,000	\$9,000 per year	Bob Garcia	Complete water collection activities with existing water lines and to drinking water lines	Kim McHugh, North Valley Director

W. J. S. Construction Site Storm Water Runoff Control

PRACTICE AREA	DEPT	BEST MANAGEMENT PRACTICE	GOAL	MEASUREMENT	START DATE	IMPLEMENT BY	START COST	FULL COST	INTERNAL CONTACT	Comments	RESPONSIBLE PERSON
Construction Site Storm Water Runoff Control	CSS-BZ	Install BMPs in accordance with construction phase BMP compliance issues	MP7 inspectors verify PWD inspections of individual construction phase BMP compliance issues	Number of contacts to PWD per number of sites	March 10 2007	June 30 2008	\$ 2,000	\$10,000 per year	Tommy Perera	Field inspections training and coordination of enforcement activities	Tim McGee, Barry Community Services Director
Construction Site Storm Water Runoff Control	PWD-TS	Implement Construction PDES Storm Water Requirements by District	Reverse existing ordinance	Ordinance revised	March 10 2007	June 30 2008	\$ 8,000	\$ 5,000	Tommy Perera	Cost to cover the initial re-absorbed staff salary	Tim West, Public Works Division Director
Construction Site Storm Water Runoff Control	PWD-TS	Implement Post-Construction Storm Water Requirements by District	Reverse existing ordinance	Ordinance revised	March 10 2007	June 30 2008	\$ 2,000	\$ 8,000	Tommy Perera	Cost to cover the initial re-absorbed staff salary	Tim West, Public Works Division Director
Construction Site Storm Water Runoff Control	PWD-TS	Inspect projects with one acre disturbed area immediately during construction and at completion for proper installation of post construction BMPs	Number of inspections and the number of problems identified	Percentage of inspections passed annually	March 10 2007	June 30 2008	\$ 4,500	\$4,500 per year	Sue Burgess, Brian Kent	New Cost	Tim West, Public Works Division Director
Construction Site Storm Water Runoff Control	PWD-WRS	Train 75% of Public Works inspectors annually	Number of trainings per year	Percentage of agreements and EITs passed annually	March 10 2007	June 30 2008	\$ 3,000	\$3,000 per year	Patricia Dominguez	New Cost	Tim West, Public Works Division Director
Construction Site Storm Water Runoff Control	PWD-WRS	Train 75% of engineers annually	Number of trainings per year	Percentage of agreements and EITs passed annually	March 10 2007	June 30 2008	\$ 3,000	\$3,000 per year	Patricia Dominguez	New Cost	Tim West, Public Works Division Director
Construction Site Storm Water Runoff Control	PWD-WRS	Conduct one training per year to design engineers and contractors	Number of trainings per year	Percentage of agreements and EITs passed annually	March 10 2007	June 30 2008	\$ 2,000	\$ 2,000	Patricia Dominguez, (S) Brad Calabach, Nolan Bennett, (P) Parks, Manny Crespo, Clay Campbell	New Cost	Tim West, Public Works Division Director
Construction Site Storm Water Runoff Control	PWD-TS	Inspect projects with one acre or greater disturbed area periodically during construction to proper installation of BMPs	Number of projects identified per project	Percentage of projects identified per project	March 10 2007	June 30 2008	\$ 6,000	Unknown	(S) Brad Calabach, Nolan Bennett, (P) Parks, Manny Crespo, Clay Campbell	New Cost	Tim West, Public Works Division Director
Construction Site Storm Water Runoff Control	PWD-TS	Incorporate post construction BMPs into design and construction of County projects	Develop design standards for County projects	Incorporate appropriate BMPs into County design requirements	March 10 2007	June 30 2008	\$ 6,000	Unknown	(S) Brad Calabach, Nolan Bennett, (P) Parks, Manny Crespo, Clay Campbell	New Cost	Tim West, Public Works Division Director

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

PRACTICE AREA	DEPT	BEST MANAGEMENT PRACTICE	GOAL	MEASUREMENT	START DATE	IMPLEMENTED BY	START COST	FULL COST	INTERNAL CONTACT	Comments	RESPONSIBLE PERSON
Post-Construction Storm Water Management and Redevelopment	CSD BZP	Promote encourage cluster development	Use easement, dedication, or other tool for cluster development and increase number of cluster developments by 20%	Percentage increase in cluster development	March 10, 2007	March 10, 2007					Julie Morgan-Rosa, Community Services Division Director
Post-Construction Storm Water Management and Redevelopment	CSD SZP	Promote encourage development to reduce impervious cover	Allow variances for certain roadway standards to reduce impervious cover	Number of variances granted	March 10, 2007	March 10, 2007			Enrico Gradi		Julie Morgan-Rosa, Community Services Division Director
Post-Construction Storm Water Management and Redevelopment	CSD BZP	Base drainage impact fees on amount of impervious surface	Reduce impervious cover. Disturbed disturbed areas	Reduction in drainage impact fees per project	March 10, 2007	March 10, 2007			Enrico Gradi		Julie Morgan-Rosa, Community Services Division Director
Post-Construction Storm Water Management and Redevelopment	CSD BZP	Utilize Transfer of Development Rights	Amend the Zoning Ordinance to include TDR criteria	Development and implementation of a TDR ordinance	March 10, 2007	March 10, 2007			Jim Fees		Julie Morgan-Rosa, Community Services Division Director
Post-Construction Storm Water Management and Redevelopment	CSD SZP	Encourage development with existing neighborhood and commercial nodes	Adopt plans and policies which encourage utilization of existing commercial and residential infrastructure in specified areas	Evaluate node areas as defined by the plans	March 10, 2007	March 10, 2007			Enrico Gradi		Julie Morgan-Rosa, Community Services Division Director
Post-Construction Storm Water Management and Redevelopment	CSD BZP	Support low density residential planning areas where appropriate	Adopt single zoning	Evaluate level of development (developing units per acre)	March 10, 2007	March 11, 2008			Sandy Fish, Enrico Gradi		Julie Morgan-Rosa, Community Services Division Director
Post-Construction Storm Water Management and Redevelopment	CSD BZP								Enrico Gradi		

PHASE/AREA	DOIT	BEST MANAGEMENT PRACTICE	DOA	MANAGEMENT	START DATE	COMPLETION BY	ESTIMATED COST	NYCIS CONTACT	COMMENTS	RESPONSIBLE PERSON
Phase 1: Core and Infrastructure	NYCIS	Monitor compliance with NYSP	NYCIS	Phase 1: Core and Infrastructure	January 2007	December 31, 2007	\$ 5,000,000	NYCIS	Review & update NYSP to include compliance with NYSP	NYCIS
Phase 2: Data and Monitoring	NYCIS	Review development of a compliance dashboard	NYCIS	After the initial period, review & update NYSP to include the adoption of best practices, systems, and compliance changes.	January 2007	December 31, 2007	\$ 5,000,000	NYCIS	Review & update NYSP to include compliance with NYSP	NYCIS
Phase 3: Compliance and Monitoring	NYCIS	Coordinate periodic compliance quality reviews, including compliance activities and development of compliance reports	NYCIS	During a review period, identify compliance issues, develop a compliance plan, and report on progress.	January 2007	December 31, 2007	\$ 1,000,000	NYCIS	Review & update NYSP to include compliance with NYSP	NYCIS



BERNALILLO COUNTY PUBLIC WORKS DIVISION
2400 BROADWAY SE, ALBUQUERQUE, NM 87102
(505) 848-1500

INFRASTRUCTURE PLANNING DEPARTMENT

MEMORANDUM

DATE: March 8, 2007
TO: File
THRU: Mary Murnane, Water Resources Program Manger
FROM: Patricia Dominguez, Water Resources Planner
Re: NMSHPO Concurrence

his portion of the permit is in progress. See enclosed documents.

Patricia Dominguez

From: Biella, Jan, DCA [jan.biella@state.nm.us]
Sent: Thursday, March 08, 2007 9:11 AM
To: Patricia Dominguez
Subject: RE: NMSHPO Guidance for NPDES Permit

Hi Patricia

This is a very good letter. The only change I would recommend is in the second paragraph and adding the language in bold. The application process requires that the County identify any properties listed in **or eligible for listing** in the National Register of Historic Places. Otherwise you should be good to go.

Jan
Jan V. Biella, M.A., RPA
Deputy SHPO -- Manager, Preservation Services
Historic Preservation Division
Department of Cultural Affairs
407 Galisteo St., Suite 236
Santa Fe, New Mexico 87501
ph: 505-827-4045
fax: 505-827-6338
web: nmhistoricpreservation.org
jan.biella@state.nm.us

From: Patricia Dominguez [mailto:pdominguez@berncoco.gov]
Sent: Tuesday, March 06, 2007 2:17 PM
To: Biella, Jan, DCA
Subject: RE: NMSHPO Guidance for NPDES Permit

Hello,

I am working on the NPDES permit application to LIPA for Bernalillo County and I would like to informally submit a letter on the NHPA provisions for your review.

Mary Murnane (my supervisor) suggested that I contact you informally and get feedback from you before I send the hard copy of our letter seeking your concurrence that we have met the provisions in the NHPA. If you have any questions or would like to see more detailed information on our stormwater facilities please let me know and I will be more than happy to supply the additional information.

Thank you for your time and assistance.
Trish Dominguez

Patricia A. Dominguez
Water Resources Planner
Bernalillo County
Public Works Division
505.224.1676
505.848.1510 (fax)

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County of Bernalillo

State of New Mexico

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PUBLIC WORKS

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ALBUQUERQUE, NM 87102
ADMINISTRATION (505) 848-1500
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DARREN P. WHITE, SHERIFF

PATRICK J. PADILLA, TREASURER

March 8, 2007

Ms. Jan Biella
New Mexico State Historic Preservation Office
Deputy State Historic Preservation Officer
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, NM 87501

RE: National Historic Preservation Act Eligibility Provisions – New Mexico Historic Preservation Office (NMSHPO) Guidance for NPDES Permit Application

Dear Ms. Biella:

Bernalillo County (County) has been identified as a small municipal separate storm sewer system (MS4) operator by the United States Environmental Protection Agency (EPA) and has been directed to apply for a National Pollutant Discharge Elimination System (NPDES) permit.

The application process requires that the County identify any properties **listed in or eligible for listing** in the National Register of Historic Places (NRHP) that may be affected by NPDES activities. The following information has been enclosed as requested for your review to determine if properties listed in or eligible for listing in the NRHP will be affected:

- ◆ Parts 3.2.1 through 3.2.9 of the NOI
- ◆ Map showing the boundaries of the Bernalillo County MS4

The intent of the NPDES permit is to regulate surface water quality. The County's NPDES permit will regulate stormwater facilities that have already been constructed and are not near any developed sites or known archeological sites. When these facilities were developed no issues concerning the National Historic Preservation Act were found. Any new major construction that might take place in the future would include a NMSHPO

consultation as part of the design process to ensure the preservation of the state's cultural resources.

The NPDES permit utilizes Best Management Practices (BMP) as a method to improve or maintain stormwater quality. Many of the BMPs are "non-constructed" or "non-structural" in nature. The County emphasizes the use of non-structural BMPs as part of its Stormwater Quality Management Plan. The attached sections of the NOI show that public education, outreach, and involvement play a significant role in the County's choice of BMPs.

The following is a brief description of the five sites:

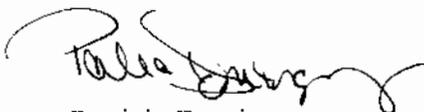
- ◆ Sanchez Farms Pump Station: located near the intersection of Arenal and Lopez.
- ◆ Adobe Acres Pump Station: located near the intersection of Isleta Blvd and Camino del Valle.
- ◆ Black Mesa Pump Station: located adjacent to north side of I-25, south of Malpais road on a ditch road.
- ◆ Alameda Pump Station: located near the intersection of Alameda and Rio Grande Blvd.
- ◆ Pasco del Norte Pump Station: located near the intersection of Alameda and Rio Grande Blvd.

Total flows from these five facilities are less than 5% of the total stormwater flows into the Rio Grande in the Albuquerque area.

As mentioned previously the County's stormwater facilities are already constructed and no issues regarding the disturbance of cultural resources listed or otherwise were found at that time. A review of the properties listed on the NRHP website led the County to determine that its NPDES activities will not affect any properties on listed the Register or sites eligible for listing. The County's MS4 boundary consists of the urbanized unincorporated portion of Bernalillo County. The majority of the urbanized area falls under the jurisdiction of the Phase One (City of Albuquerque, New Mexico Department of Transportation, Albuquerque Metropolitan Arroyo Flood Control Authority, and the University of New Mexico) permit holders.

We look forward to a final determination from the NMSHPO regarding the County's compliance with the National Historic Preservation Act Eligibility Provisions. Should there be any questions or concerns please email me at pdominguez7@bernco.gov or call me at (505) 224-1676.

Sincerely,



Patricia Dominguez
Water Resources Planner

Ms. Jan Biella
March 8, 2007
Page 3 of 3

Enclosure: Parts 3.2.1 through 3.2.9 of the NOI
Map showing the boundaries of the Bernalillo County MS4

cc: Mary Murnane

Concurrence:

The New Mexico State Historic Preservation Office concurs that the United States Environmental Protection Agency, National Pollutant Discharge Elimination System permit issued to Bernalillo County has no known impact on cultural resources.

Signature

Title

Date



BERNALILLO COUNTY PUBLIC WORKS DIVISION
2400 BROADWAY SE., ALBUQUERQUE, NM 87102
(505) 848-1500

INFRASTRUCTURE PLANNING DEPARTMENT

MEMORANDUM

DATE: March 8, 2007
TO: File
THRU: Mary Murnane, Water Resources Program Manger
FROM: Patricia Dominguez, Water Resources Planner
Re: Fish & Wildlife Service Consultation

his portion of the permit is in progress. See enclosed documents.



C. H. GUERNSEY & COMPANY
Engineers • Architects • Consultants
2501 San Pedro Drive, NE, Ste. 211
Albuquerque, NM 87110

February 21, 2007

Ms. Patricia Dominguez
Bernalillo County Public Works – Water Resources Program
2400 Broadway, SE
Albuquerque, NM 87102
Office: (505) 848-1500
Fax: (505) 848-1510

**RE: Scope of Services and Price Quotation for Stormwater Impact Evaluations
 Water Quality and Biological Evaluations for Five Pump Stations
 Commodity Code # 66070**

Dear Mrs. Dominguez:

C.H. Guernsey & Company (GUERNSEY) is pleased to provide the following Scope of Services and Price Quotation in response to the Request for Quotation regarding water quality and biological impact evaluations for various stormwater outfalls. Below are the Scope of Services and Price Quotation for this project.

According to the Request for Quotation and the responses questions received on February 14, 2007, GUERNSEY understands the following:

- Assessments/evaluations are required to determine the impacts on water quality in the Rio Grande and on endangered species habitat;
- Five sites require evaluation/assessment:
 - Sanchez Farms Pump Station;
 - Adobe Acres Pump Station;
 - Black Mesa Pump Station;
 - Alameda Pump Station;
 - Paseo del Norte Pump Station;
- Previous biological report, *Maintenance of Existing and Future Storm Water Conveyances in the Middle Rio Grande*, will be available for reference;
- Available water quality data will be provided to GUERNSEY;
- GUERNSEY will not be responsible for collecting or analyzing water quality samples;
- GUERNSEY will have ready access to the site;
- Available land use data will be provided to GUERNSEY; and
- Final deliverable for the project will be the biological evaluation report consistent with the requirements for Consultation under Section 7 of the Endangered Species Act.

SCOPE OF SERVICES

Task 1: Pre-Planning

GUERNSEY personnel will coordinate activities in preparation for this study. This effort will include a review of existing information and coordinating the kick-off meeting and site visit.

Task 2: Participate in Kick-off Meeting

GUERNSEY personnel will participate in a kick-off meeting with Bernalillo County Public Works - Water Resources Program (Bernalillo County) to address processes, procedures and technical requirements as they relate to the project. Bernalillo County's project manager will provide GUERNSEY with any relevant documentation related to the project including, but not limited to: available water quality data, land use information, and pump station information.

Task 3: Perform Site Visits

GUERNSEY personnel will conduct an inspection of the five pump stations and their respective outfall or discharge. A photographic record will be made. No sampling or formal surveys will be conducted.

Task 4: Coordination Meeting with the USFWS

GUERNSEY, along with their subconsultant, Ecosystem Management, Inc. (EMI), will conduct a meeting with the USFWS to discuss the project and gather available information from the USFWS.

Task 5: Collect Available Biological and Water Quality Data

Within Task 5, GUERNSEY and EMI will gather readily available biological and habitat information. GUERNSEY will collect any additional data or information not previously provided by Bernalillo County.

Task 6: Review Water Quality Data / Land Use Information

GUERNSEY will review all available water quality data to determine which chemical constituents are present within the stormwater and maximum and average concentrations and flow rates. GUERNSEY will also review the land use information provided to assess if any additional chemical constituents could reasonably be present.

Task 7: Conduct Biological Evaluation

GUERNSEY will subcontract this portion of the project to EMI. GUERNSEY will provide all necessary information resulting from the stormwater quality and land use review. EMI will perform the biological evaluation, including all necessary field biological studies. The biological evaluation will address the following:

- Description of Listed Species;
- Description of Critical Habitat;
- Description of Current Land Use;
- Description of Watershed;

- Project Description;
- Effects Analysis;
- Action Area Description; and
- Effects Determination.

Regarding the Effects Analysis, proximity to listed species, listed species exposure potential, and the characteristics of the effects will all be considered. The Effects Determination will address beneficial effects, direct effects, indirect effects, and effects of interrelated and/or interdependent activities.

Task 8: Prepare Draft Section 7 Consultation Report for Bernalillo County Review

GUERNSEY, along with EMI, will prepare a biological evaluation draft report that will meet the requirements for Consultation under Section 7 of the Endangered Species Act. The report will be submitted to Bernalillo County for review prior to submittal to the USFWS. Three hard copies of the draft report will be submitted to Bernalillo County.

Task 9: Respond to Bernalillo County Comments

GUERNSEY will address any comments or questions presented by Bernalillo County. A record of all comments and questions will be made with the appropriate action taken to address the comment or question.

Task 10: Prepare Draft Section 7 Consultation Report for USFWS Review

Following the review process with Bernalillo County, GUERNSEY will prepare and submit a draft report of the biological evaluation to the USFWS for their review. The draft report will meet the requirements for Consultation under Section 7 of the Endangered Species Act. Three hard copies of the draft report will be submitted to the USFWS.

Task 11: Respond to USFWS Comments

GUERNSEY will address any comments or questions presented by the USFWS. A record of all comments and questions will be made with the appropriate action taken to address the comment or question.

Task 12: Issue Final Section 7 Consultation Report to Bernalillo County

Following the review process with USFWS, GUERNSEY will issue a final biological evaluation report meeting the requirements for Consultation under Section 7 of the Endangered Species Act. Three hard copies of the final report will be submitted to Bernalillo County.

PRICE QUOTATION

The following addresses our Price Quotation to complete the above specified Scope of Services:

- Total fee, including expenses and NMGRT - \$5,755

The costs described herein are based on the scope of services identified above. There may be variations that deviate from this scope. In performing the work, it may become evident that more or less effort is

required and scope modifications may necessary. GUERNSEY will not perform any additional work nor accrue additional costs without approval from Bernalillo County.

Thank you for your interest in GUERNSEY. We look forward to working with you and in assisting you in your water quality and biological evaluation of impacts resulting from stormwater discharges. Please direct any questions to me by voice at 505.346.0103 or by e-mail at steve.taylor@chguernsey.com.

Sincerely,

C.H. GUERNSEY & COMPANY



Steve Taylor
Regional Manager

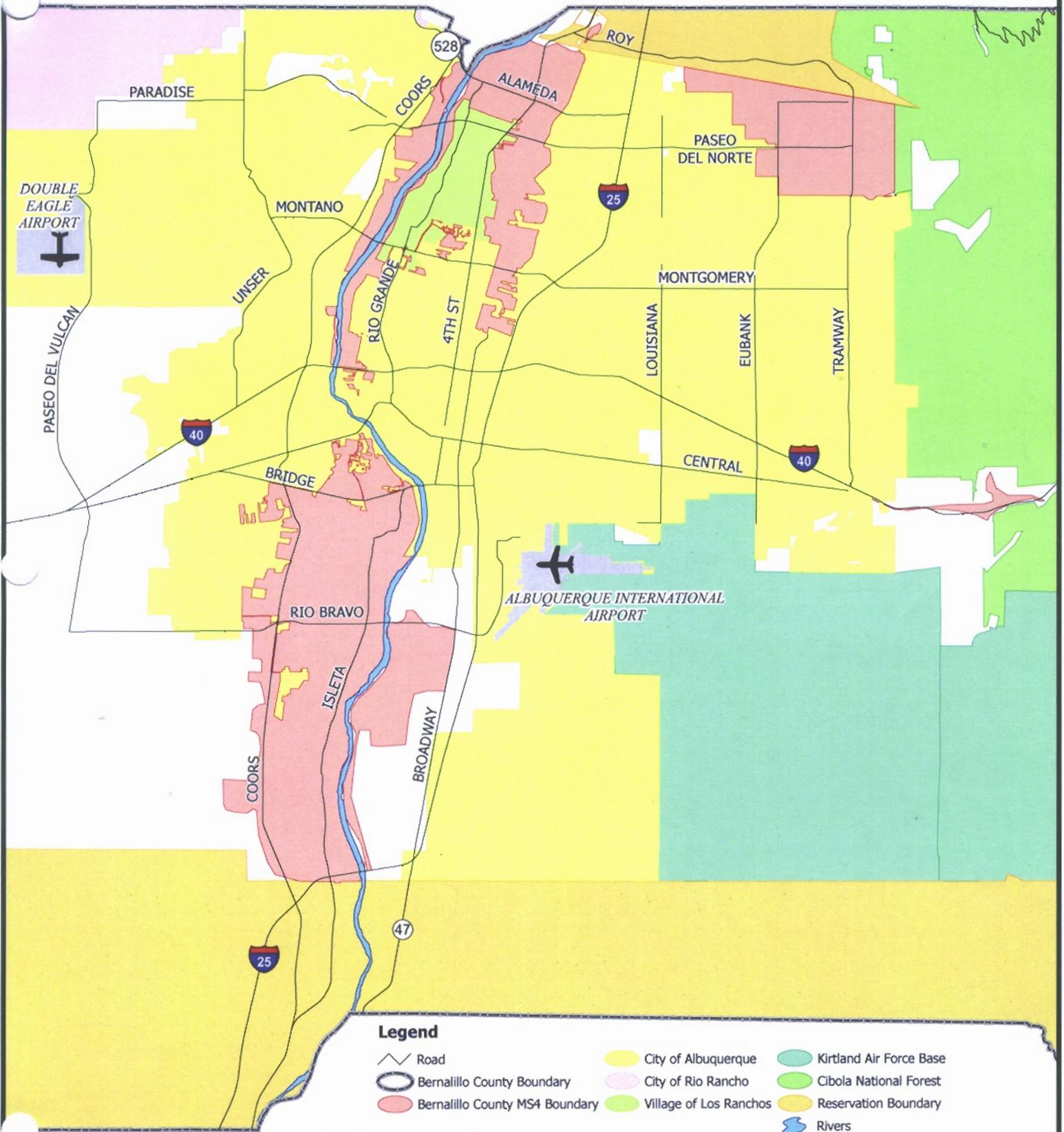
Signed: _____
Printed Name/Signature

Title: _____

Date: _____



2000 Urbanized Area within the Unincorporated Area of Bernalillo County



Legend

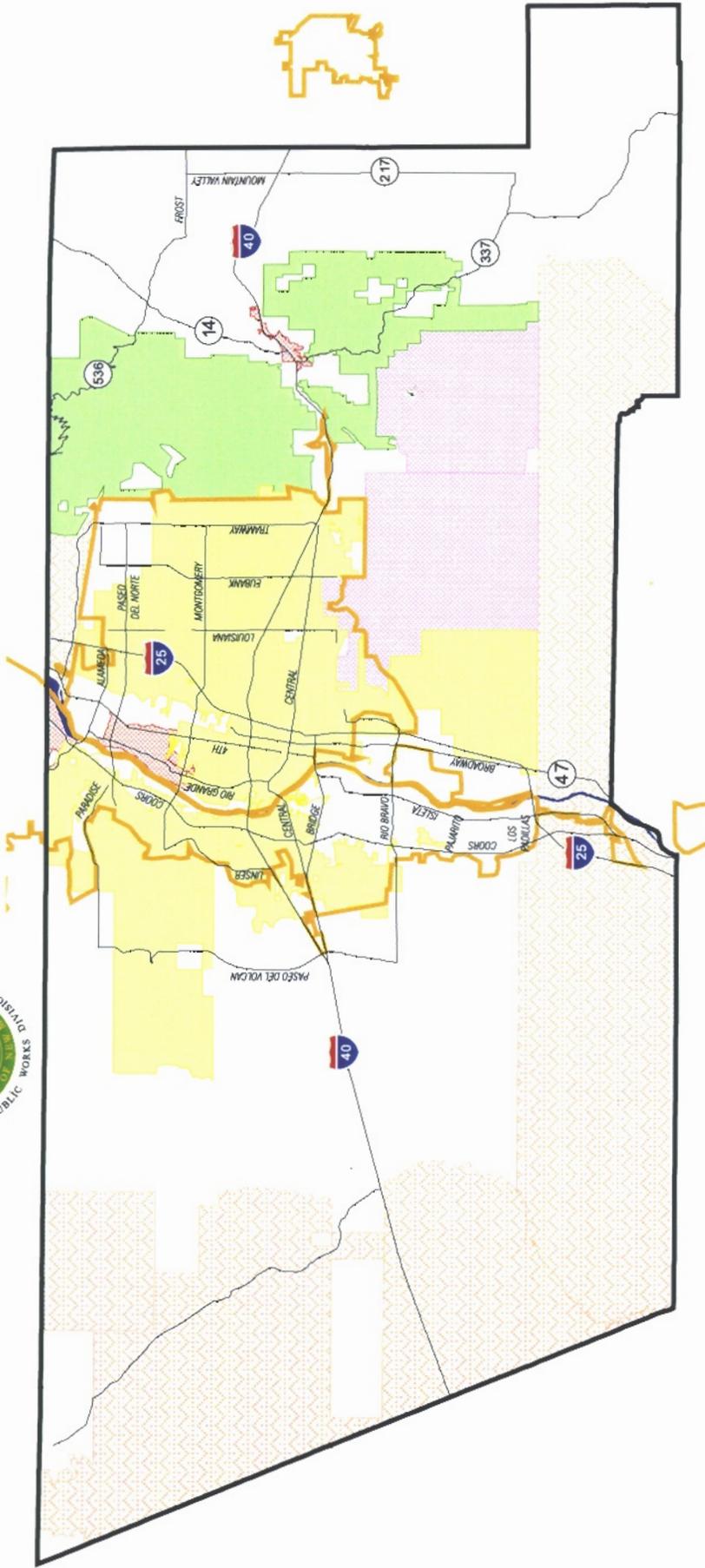
- Road
- Bernalillo County Boundary
- Bernalillo County MS4 Boundary
- City of Albuquerque
- City of Rio Rancho
- Village of Los Ranchos
- Kirtland Air Force Base
- Cibola National Forest
- Reservation Boundary
- Rivers



Vicinity Map



2000 Urbanized Area



Legend

- Urbanized Area 2000
- City of Albuquerque
- Village
- Kirtland AFB
- Cibola National Forest
- Indian Reservations



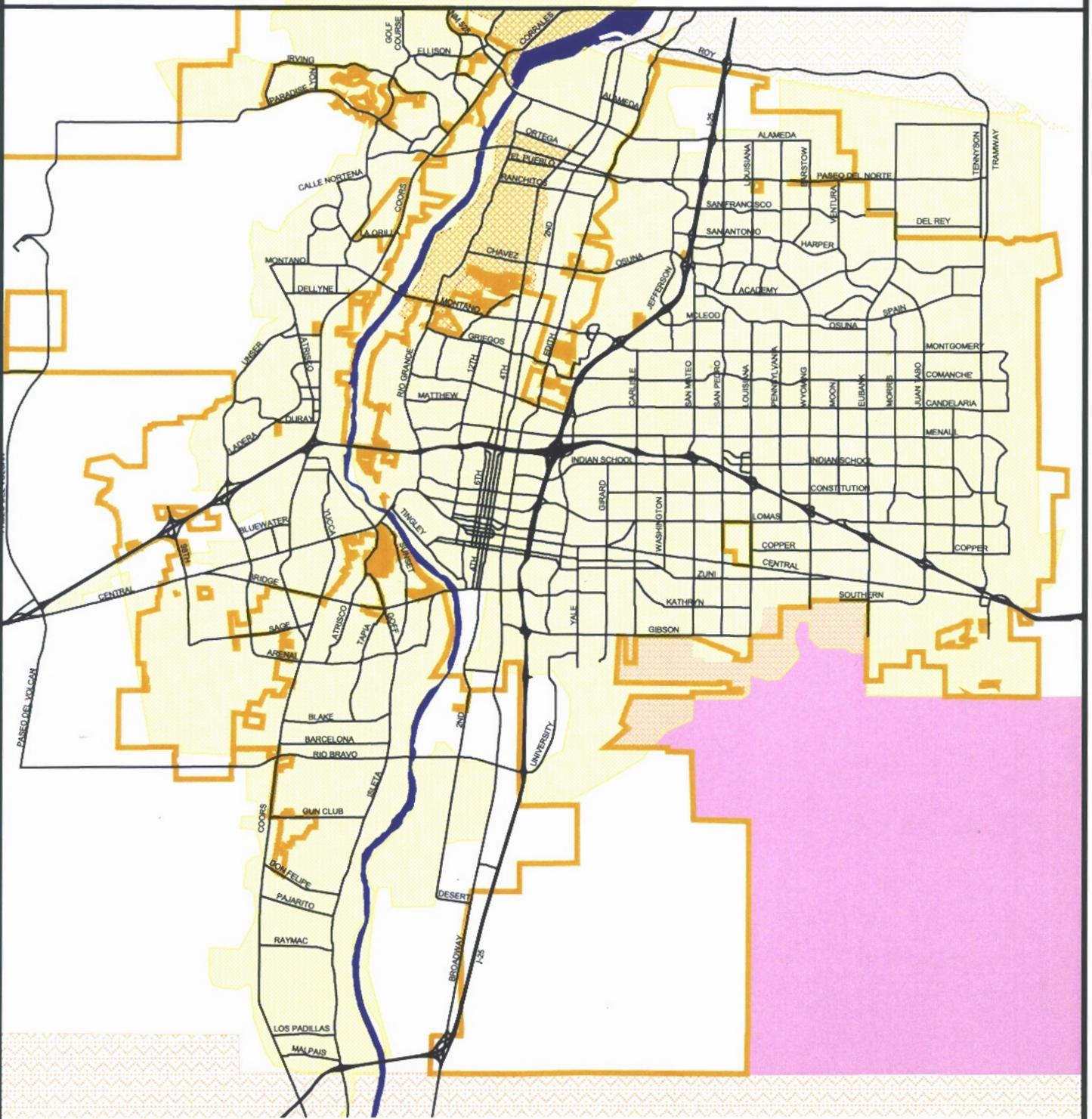
Bernalillo County, New Mexico



Vicinity Map



2000 Urbanized Area



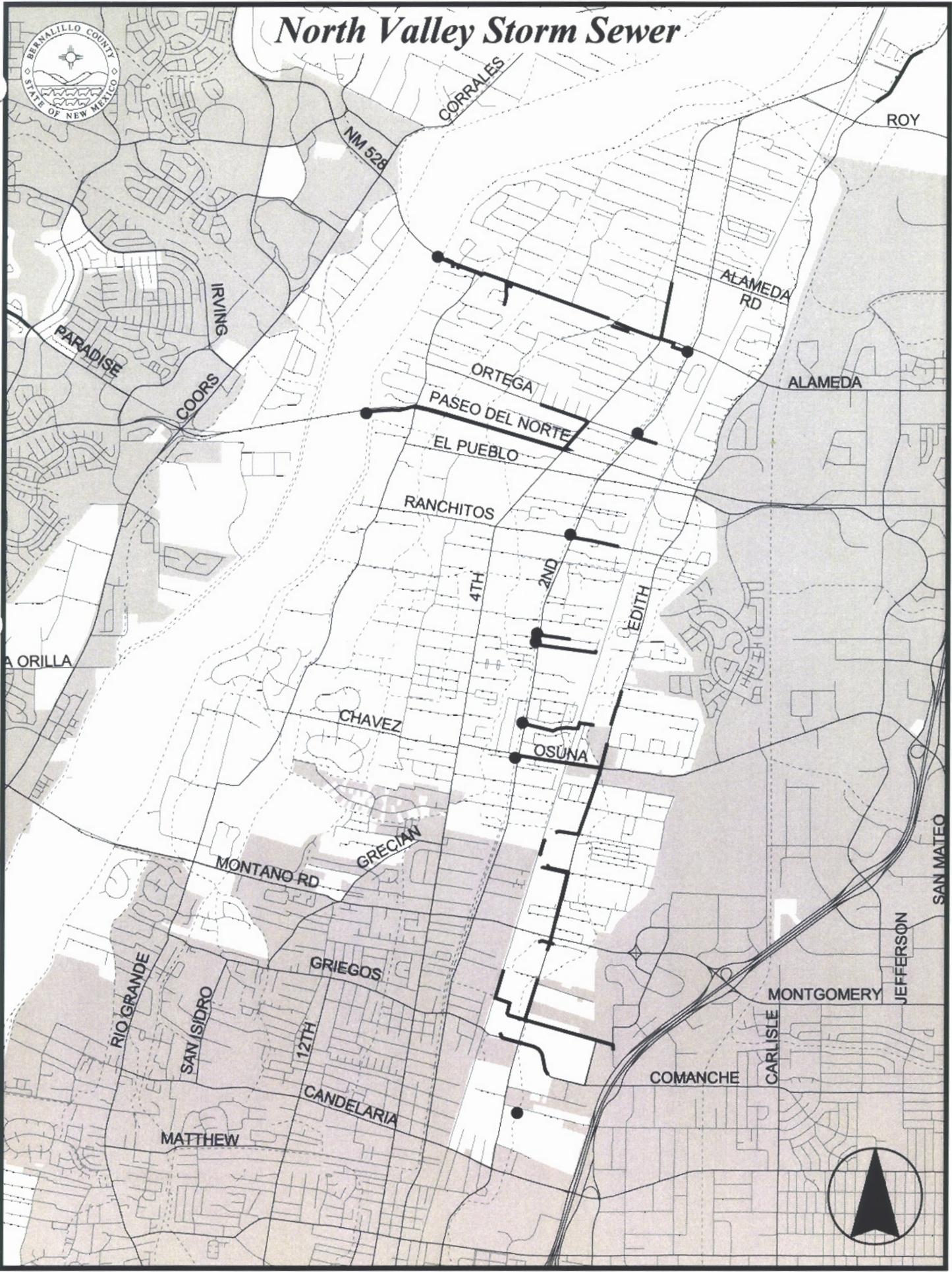
Legend

- Urbanized Area 2000
- City of Albuquerque
- Kirtland AFB
- Indian Reservations
- Village



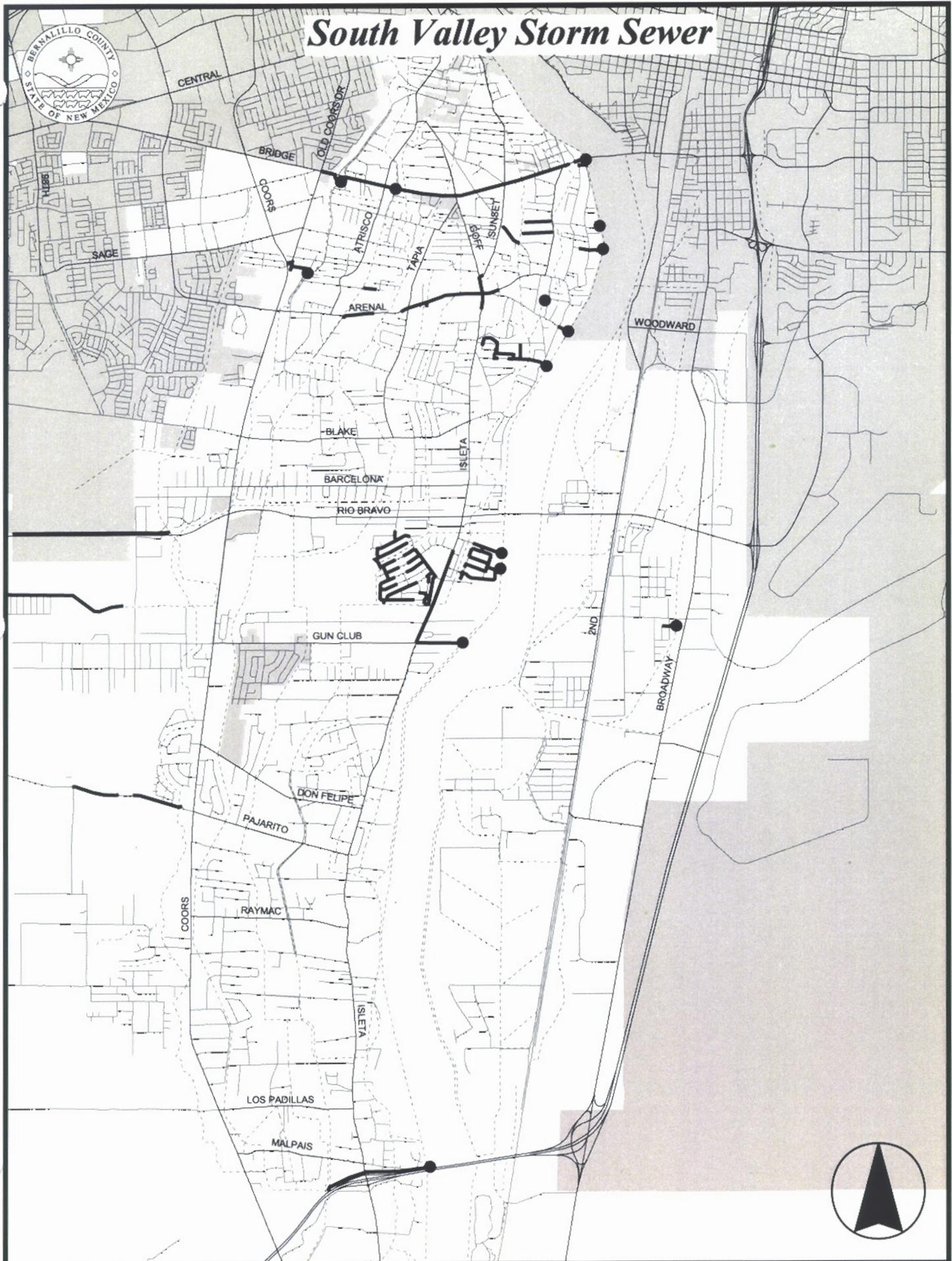


North Valley Storm Sewer



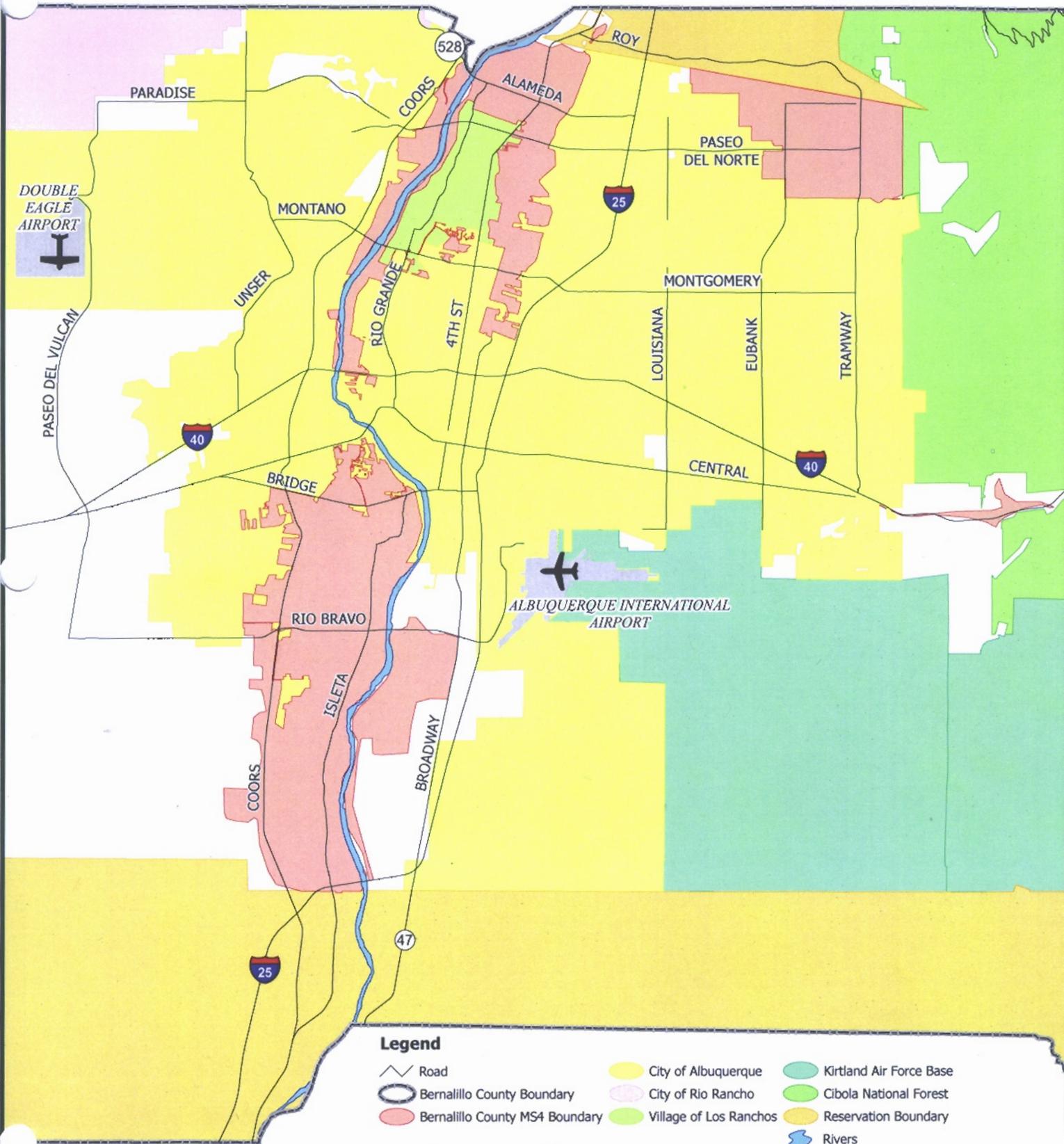


South Valley Storm Sewer





2000 Urbanized Area within the Unincorporated Area of Bernalillo County



Legend

- Road
- Bernalillo County Boundary
- Bernalillo County MS4 Boundary
- City of Albuquerque
- City of Rio Rancho
- Village of Los Ranchos
- Kirtland Air Force Base
- Cibola National Forest
- Reservation Boundary
- Rivers

