



# Stormwater Quality Plan Information Sheet and Inspection Fee Schedule

**Project Name:** \_\_\_\_\_

**Project Location:** (address or major cross streets/arroyo) \_\_\_\_\_

**Plan Preparer Information:**

Company: \_\_\_\_\_

Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: (O) \_\_\_\_\_ (Cell (optional)) \_\_\_\_\_

e-Mail: \_\_\_\_\_

**Property Owner Information:**

Company: \_\_\_\_\_

Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

e-Mail: \_\_\_\_\_

**I am submitting the ESC plan to obtain approval for:**

\_\_\_ Grading \_\_\_ Building Permit \_\_\_ Work Order Construction Plans

Note: More than one item can be checked for a submittal

**Stormwater Quality Inspection fee:** (based on development type and disturbed area)

Commercial	< 2 acres \$300 <input type="checkbox"/>	2 to 5 acres \$500 <input type="checkbox"/>	>5 acres \$800 <input type="checkbox"/>
Land/Infrastructure	< 5 acres \$300 <input type="checkbox"/>	5 to 40 acres \$500 <input type="checkbox"/>	>40 acres \$800 <input type="checkbox"/>
Multi - family	< 5 acres \$500 <input type="checkbox"/>	≥5 acres \$800 <input type="checkbox"/>	
Single Family Residential	<5 acres \$500 <input type="checkbox"/>	5 to 40 acres \$1000 <input type="checkbox"/>	> 40 acres \$1500 <input checked="" type="checkbox"/>

Plan Review fee is \$105 for the first submittal  and \$75.00 for a resubmittal









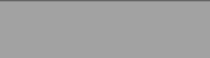
Total due equals the plan review fee plus the Stormwater Quality Inspection fee.

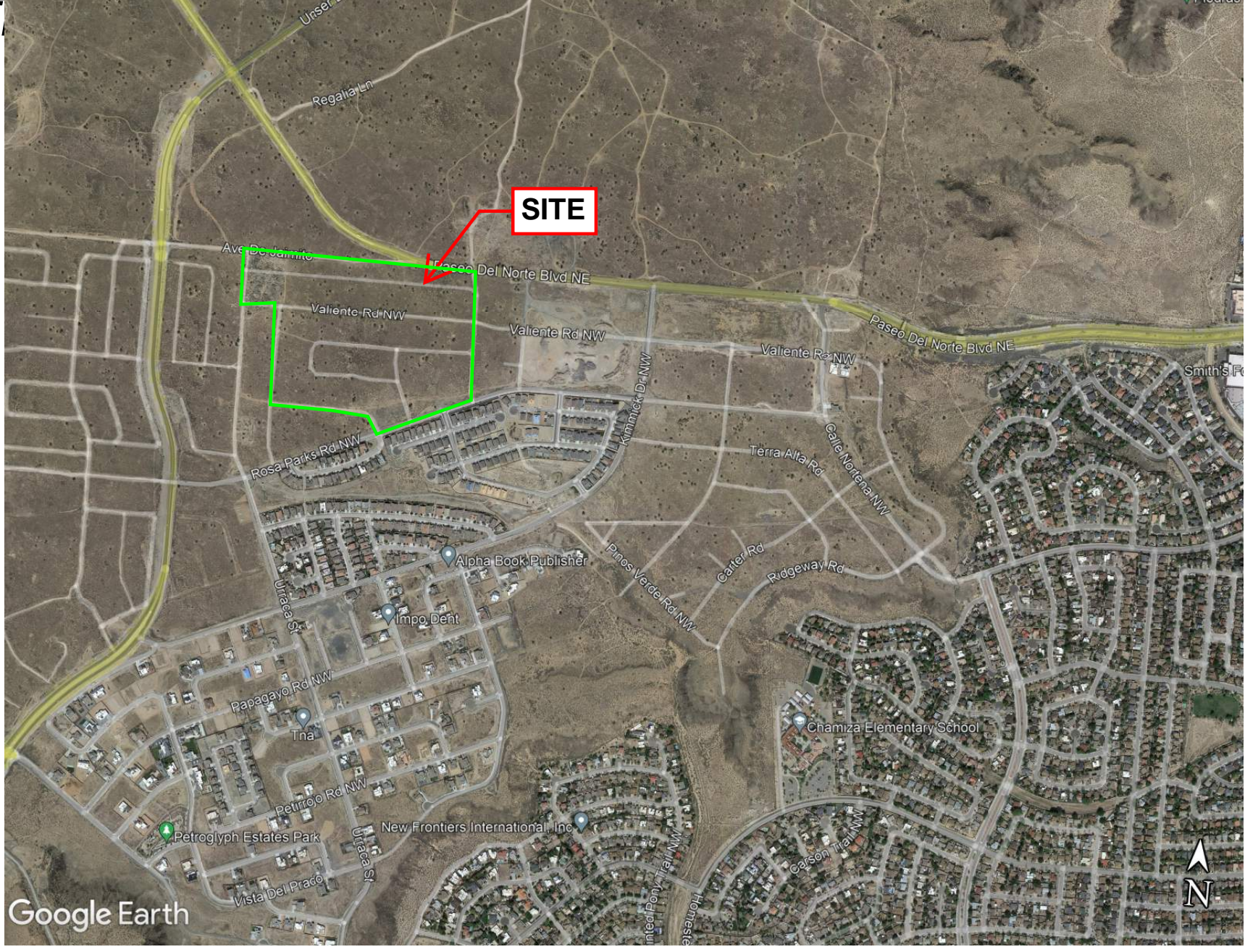
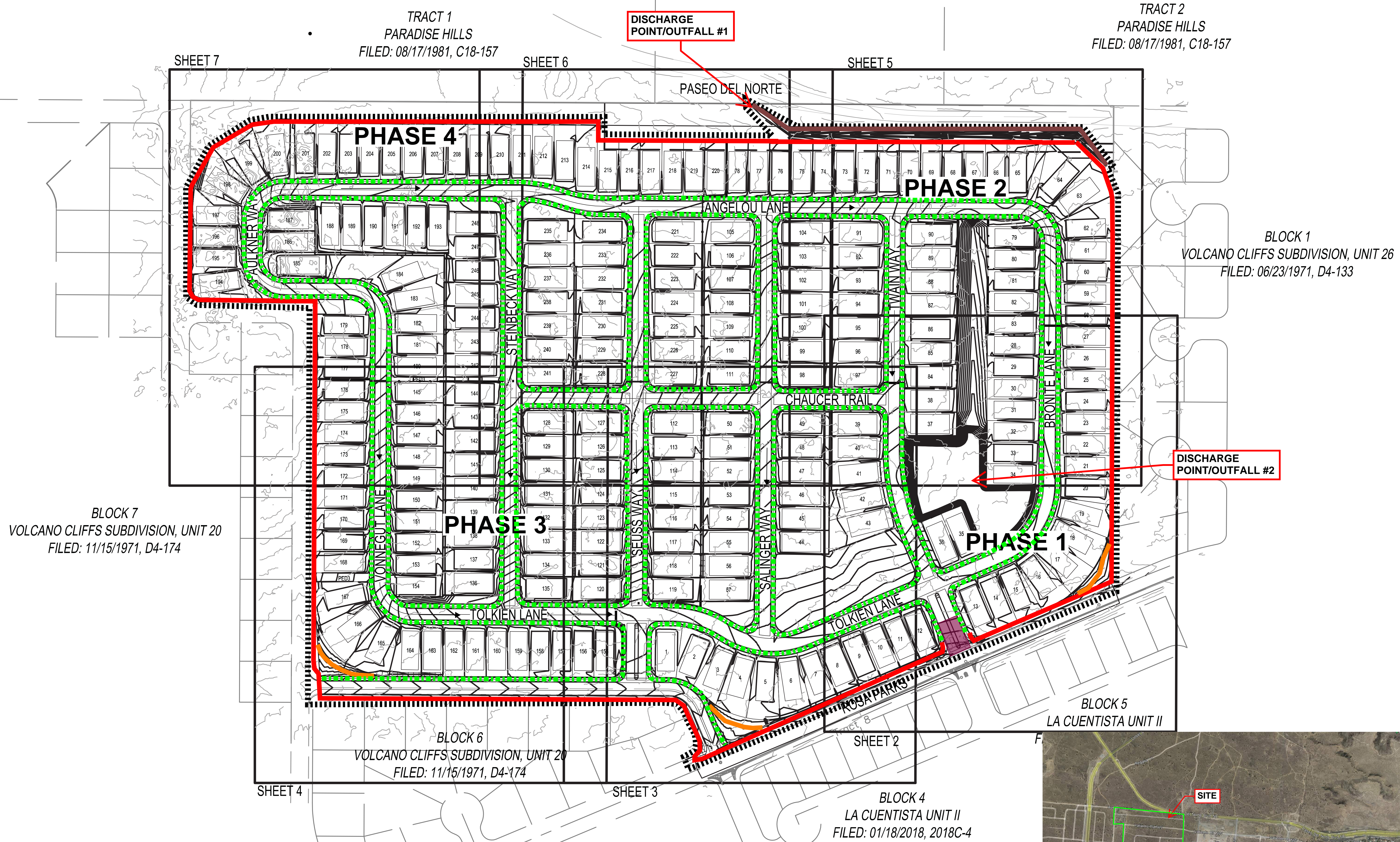
**Total Due \$** \_\_\_\_\_

If you have questions, please contact Doug Hughes, Stormwater Quality 924-3420, [jhughes@cabq.gov](mailto:jhughes@cabq.gov)

**POND SLOPES AND HOA TRACTS TO BE STABILIZED PER THE ATTACHED DETAILS**

**BMP MAP LEGEND**

-  LIMITS OF DISTURBANCE
-  PERIMETER BMP (SILT FENCE)
-  FILTER SOCK
-  BERM/SWALE
-  VEHICLE TRACKOUT CONTROL
-  FLOW DIRECTION
-  PORTABLE TOILETS
-  WASTE CONTAINER
-  CONCRETE WASHOUT



**OPERATOR: PULTE HOMES OF NEW MEXICO**

**TOTAL SITE AREA: 58.081 ACRES  
TOTAL DISTURBED AREA: 58.081 ACRES**

**RECEIVING WATERS: RIO GRANDE (TIJERAS ARROYO TO ALAMEDA BRIDGE)**

**REFER TO THE ESC BMP DETAILS (ESC-2) FOR INSTALLATION, INSPECTION AND MAINTENANCE REQUIREMENTS.**

**\*\*GRADING PLAN BY OTHERS\*\***

**LA CUENTISTA III  
TEMPORARY EROSION AND SEDIMENT CONTROL PLAN**

**Drawn By:  
M. VALLEJOS, CPESC, CISEC**

**04/13/22**



**ESC-1**

### Silt Fence Detail

#### Non-woven Silt Fence

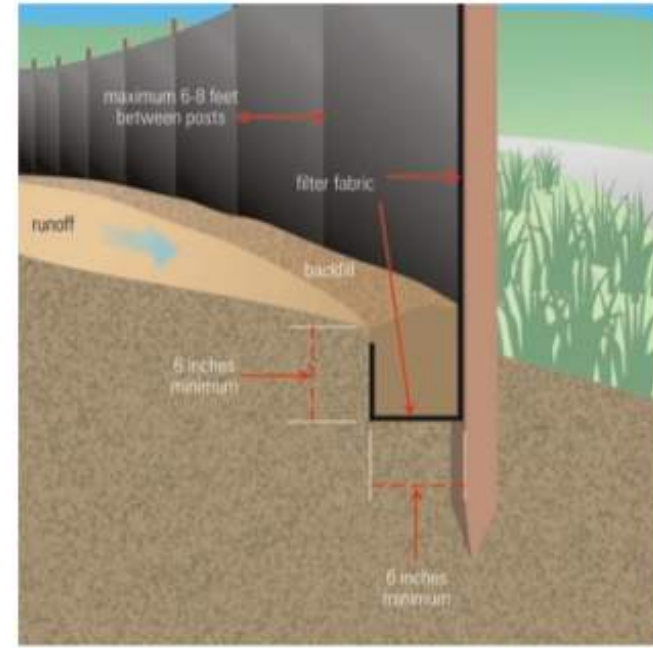
A silt fence is a temporary sediment barrier consisting of a geotextile attached to supporting posts and trenched into the ground. Intended to retain sediment that has been dislodged by stormwater.

Use silt fence as a perimeter control particularly at lower or down slope edge of a disturbed area. Leave space for maintenance between slope and silt fence or roll. Trench in the silt fence on the uphill side (6 in deep by 6 in wide). Install stakes on the downhill side of the fence. Curve silt fence up-gradient to help it contain runoff.

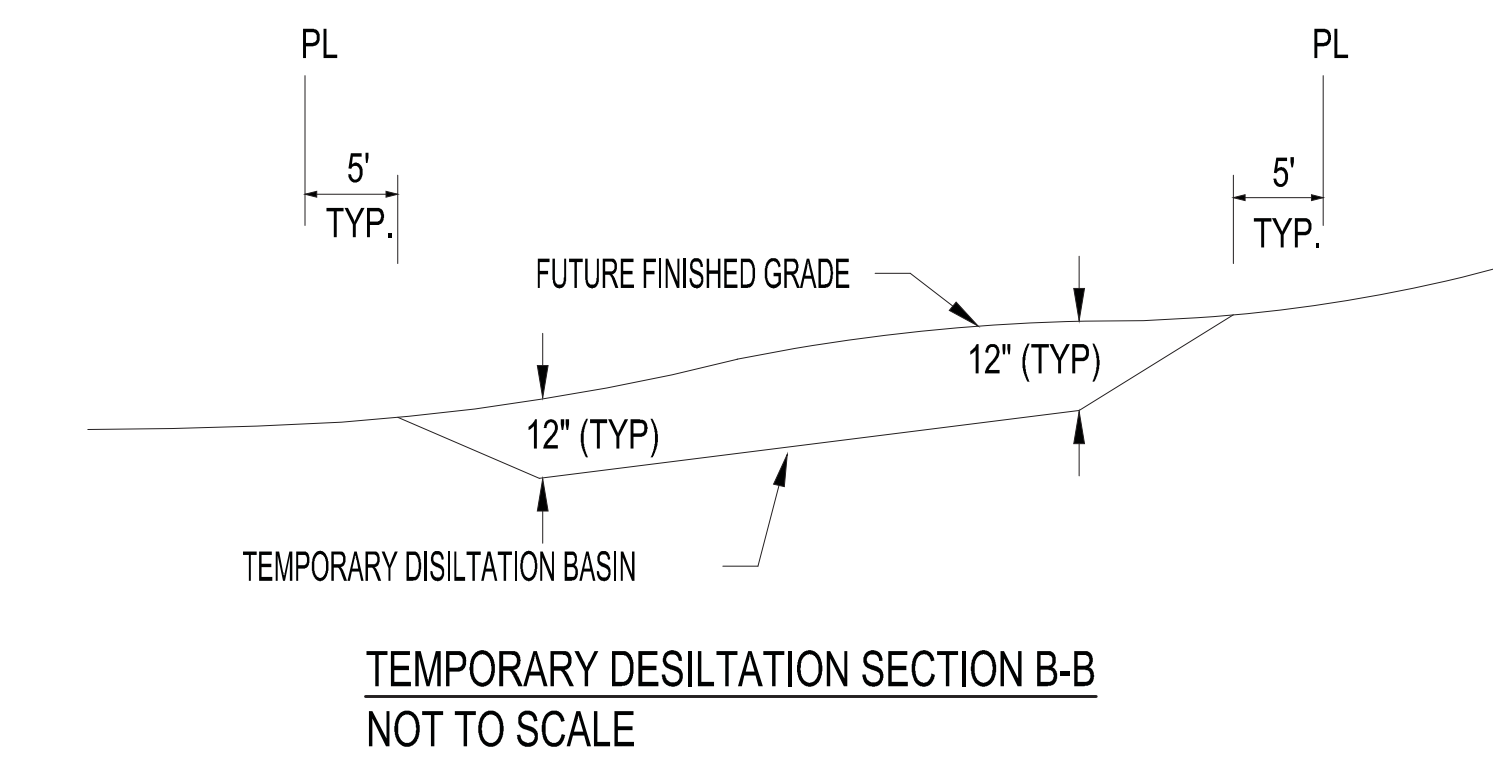
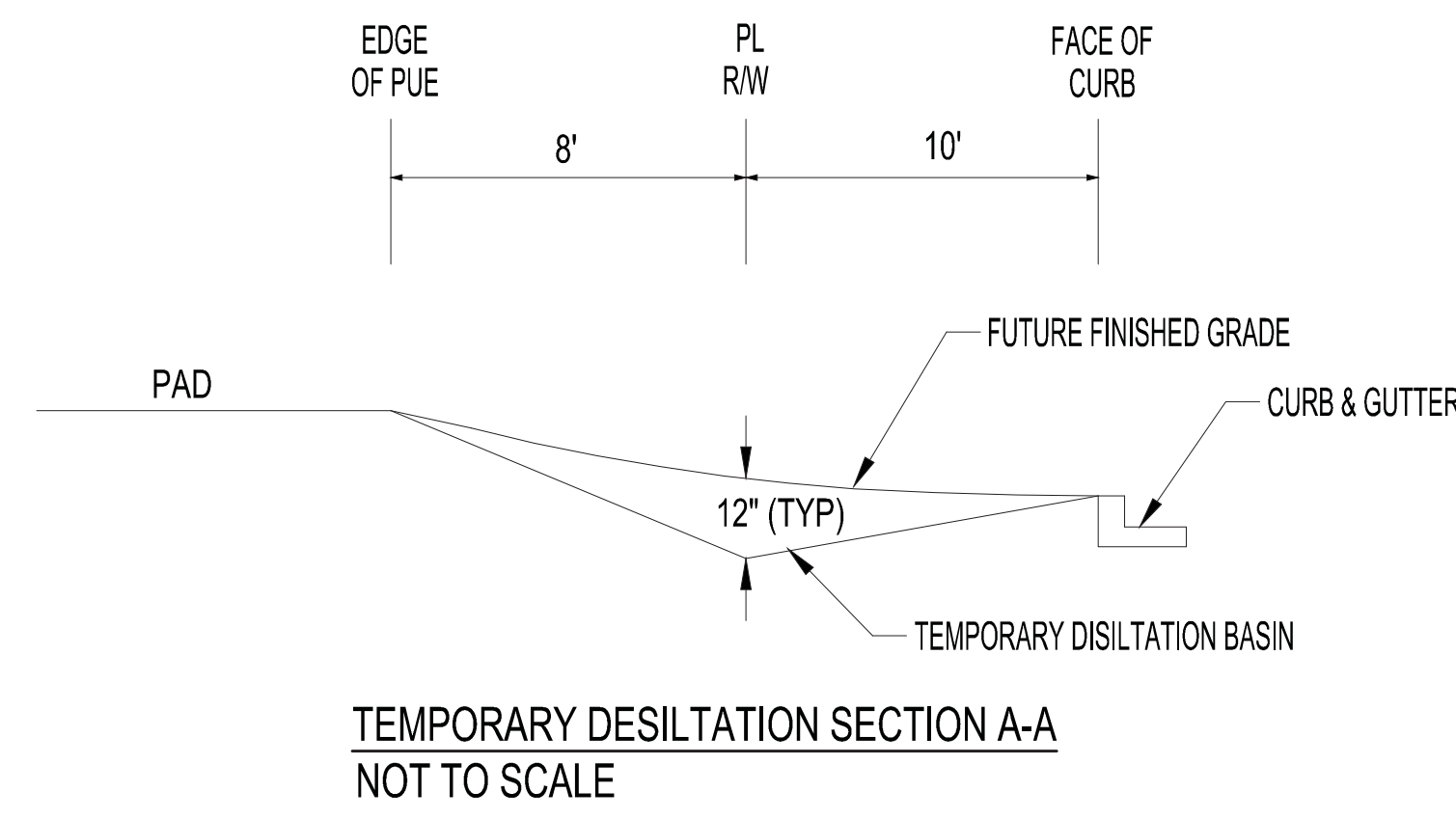
To maintain remove sediment when it reaches one-third of the height of the fence. Replace the silt fence where it is worn, torn, or otherwise damaged. Retrench or replace any silt fence that is not properly anchored to the ground. If the silt fence cannot be toed in properly due to existing hard surface, place mulch filter sock at base to prevent sediment from leaving site.

8' max wood stake spacing and 10' max spacing for steel T-post.

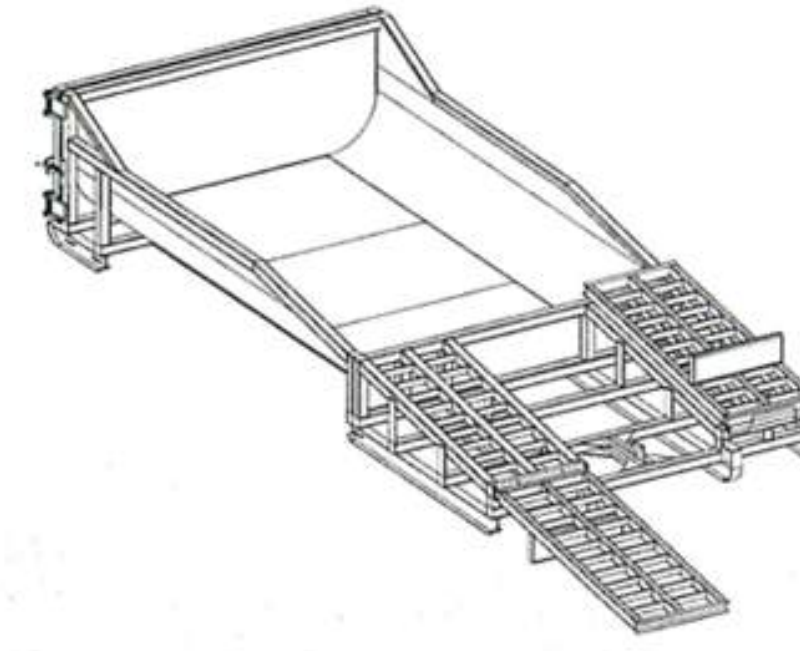
#### Silt Fence Installation



Source: USEPA Guide for Construction Site



### PORTABLE CONCRETE WASHOUT CONTAINER



**CONCRETE WASHOUT SYSTEMS**  
 PO Box 2804  
 Carmichael, CA 95609  
 Phone: 1.877.292.7468  
 Fax: 1.916.244.0403  
 info@concretewashout.com  
 www.concretewashout.com  
 Patent Pending

**DESCRIPTION**  
 A portable, self-contained and watertight container affixed with ramps that controls, captures and contains caustic concrete wastewater and washout material.

**PURPOSE & OBJECTIVE**  
 Allows trade personnel to easily washout concrete trucks, pumps and other equipment associated with cement on site and allows easy off site recycling of the same concrete materials and wastewater.

**APPLICATION**  
 Construction projects where concrete, stucco, mortar, grout and cement are used as a construction material or where cementitious wastewater is created.

**MAINTENANCE**  
 Inspect and clean out when 1/4 full, not allowing the container to overflow.  
 Inspect wastewater level and request a vacuum if needed.  
 Inspect subcontractors to ensure that proper housekeeping measures are employed when washing out equipment.

**SPECIFICATIONS**  
 The container must be portable and temporary, watertight, equipped with ramps and have a holding capacity to accept washout from approximately 350 yards of poured concrete. A vacuum service must accompany washout container and be used by site superintendent as needed. A rampless container may be used in conjunction with a ramped container or by itself if a concrete pump is not needed. The washwater must be disposed of or treated and recycled in an environmentally safe manner and in accordance with federal, state or local regulatory guidelines.

**TARGETED POLLUTANTS**  
 Caustic wastewater (high pH level near 12 units)  
 Suspended solids  
 Assorted Metals; Chromium VI, Nickel, Sulfate, Potassium, Magnesium and Calcium Compounds

### TYPICAL CONCRETE WASHOUT-BELOW GRADE



- Install appropriate signage to inform concrete equipment operators of the proper washout location.
- An appropriate stabilized entrance shall be installed where applicable. The length and width of the stabilized entrance may vary based on size and location of the washout.
- Washout facilities must be sized to contain washout water and solids.
- Typical dimensions are 10 feet long by 10 feet wide but may vary upon site limitations.
- Pit shall be delineated with Orange Filter Sock and A-Framed staked.
- The pit shall be lined with 10mil (minimum) polyethylene impermeable liner on the bottom and sides overlapping the top edges completing a leak-proof container.



### SILT SOCK INSTALLATION GUIDELINES

**SLOPE INTERRUPTION**  
 1. A SLOPE ENFORCEMENT MAY BE REQUIRED ON STEEPER SLOPES TO ENSURE INTIMATE GROUND CONTACT.  
 2. REMOVE SEGMENT FROM THE UPLOPE SIDE OF THE SILT SOCK WHEN ACCUMULATION HAS REACHED 1/2 OF EFFECTIVE HEIGHT OF SOCK.  
 3. CLOSE TO THE MEDIA BARRE SOCK ELBOW ON THE UPSLOPE SIDE OF SOCK TO ENHANCE PERFORMANCE.  
 4. HORIZONTAL STAKES 2'x2" (MINIMUM) ARE SUGGESTED.

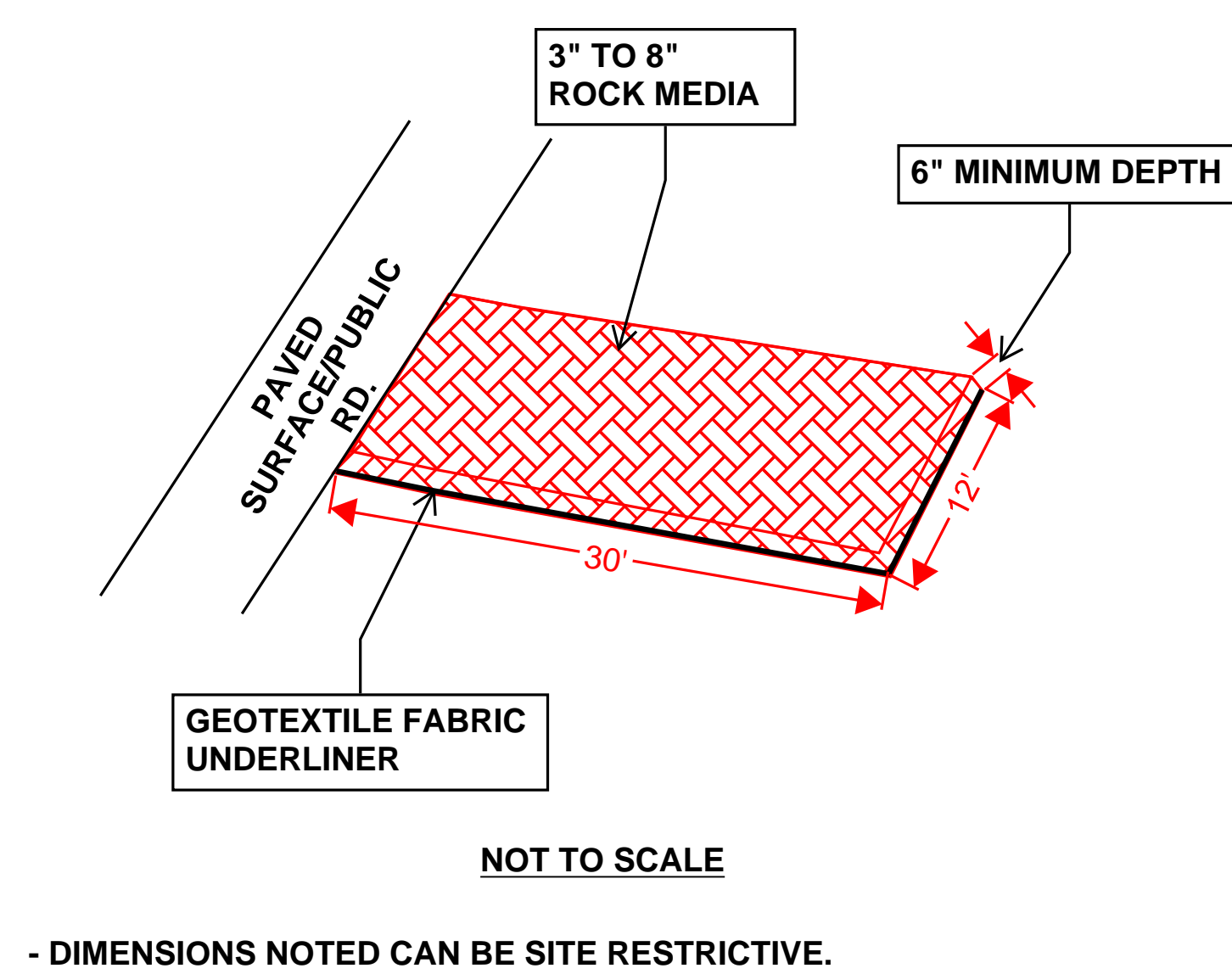
**PERIMETER CONTROL & OVERLAPPING**  
 NOTE OVERLAP BASED ON FLOW DIRECTION  
 1. 1/2 OVERLAP RECOMMENDED ON SLOPES  
 2. CURVE UPWARD WHEN FLOW IS LESS THAN 45°

**INLET PROTECTION**  
 SANDBAG OR BLOCK  
 IF GUARD BAR IS NOT AVAILABLE, USE A CONCRETE BLOCK

**PYRAMID INSTALLATION STAKING**  
 1. 3-POSTS OR STAKES  
 2. SOCKS 10'-12" DEEP  
 3. A PYRAMID OF SMALLER DIAMETER SILT SOCKS WILL INCREASE THE EFFECTIVE HEIGHT OF THE DEVICE WHEN LARGER DIAMETER SOCKS ARE NOT READILY AVAILABLE OR EASY TO INSTALL.

**Silt Sock**  
 EROSION CONTROL PRODUCTS  
 (608) 438-7625  
 WWW.SILT SOCK.NET

### VEHICLE TRACK-OUT CONTROL



**NOTES:**

1. THE WASHOUT SHALL BE INSTALLED PRIOR TO USING MATERIALS THAT REQUIRE WASHOUT ON THIS PROJECT.
2. AS NECESSARY, SIGNS SHALL BE PLACED THROUGHOUT THE SITE TO INDICATE THE LOCATION OF THE WASHOUT.
3. THE WASHOUT AREA WILL BE REPLACED AS NECESSARY TO MAINTAIN CAPACITY FOR LIQUID WASTE.
4. WASHOUT RESIDUE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT AN APPROVED WASTE FACILITY.
5. DO NOT WASHOUT INTO STORM DRAINS, OPEN DITCHES, STREETS, OR STREAMS.
6. AVOID DUMPING EXCESS CONCRETE IN NON-DESIGNATED DUMPING AREAS.
7. LOCATE WASHOUT AT LEAST 50' (15 METERS) FROM STORM DRAIN, OPEN DITCHES, OR WATER BODIES.
8. THE WASHOUT SHALL BE USED ONLY FOR NON-HAZARDOUS WASTES.

#### ESC Plan Standard Notes (2021-03-24)

1. All Erosion and Sediment Control (ESC) work on these plans, except as otherwise stated or provided hereon shall be permitted, constructed, inspected, and maintained in accordance with:
  - a. The City Ordinance § 14-5-2-11, the ESC Ordinance,
  - b. The EPA's 2017 Construction General Permit (CGP), and
  - c. The City Of Albuquerque Construction BMP Manual.
2. All BMP's must be installed prior to beginning any earth moving activities except as sediment traps, sediment basins, and diversion berms shall be completed and inspected prior to any other construction or earthwork. Self-inspection is required after installation of the BMPs and prior to beginning construction.
3. Self-inspections - At a minimum a routine compliance self-inspection is required to review the project for compliance with the Construction General Permit once every 14 days and after any precipitation event of 1/4 inch or greater until the site construction has been completed and the site determined as stabilized by the city. Reports of these inspections shall be kept by the person or entity authorized to direct the construction activities on the site and made available upon request.
4. Corrective action reports must be kept by the person or entity authorized to direct the construction activities on the site and made available upon request.
5. Stabilization reports must be kept by the person or entity authorized to direct the construction activities on the site and made available upon request. Reports should include records of weed removal per City Ordinance (§ 9-8-1), sterilization, soil test results and recommendation, materials and manufacturer's specifications for application rates, estimated functional longevity, methods of application, inspection and maintenance. The reduced self-inspection schedule in CGP 4.4.1 applies to stabilized area and any damaged or worn stabilization must be identified in the reports along with weed problems. Corrective actions for stabilization shall be documented in a stabilization report including actual rates and dates of stabilization, and the materials and manufacturer's specifications used.
6. BMPs shall be inspected and maintained until all disturbed areas are stabilized in accordance with the Final Stabilization Criteria (CGP 2.2.14.b). Generally, all disturbed areas, other than structures and impervious surfaces, must have uniform perennial vegetation that provides 70 percent or more of the cover provided by native vegetation or seed the disturbed area and provide non-vegetative mulch that provides cover for at least three years without active maintenance. Final stabilization must be approved by the City of Albuquerque prior to removal of BMPs and discontinuation of inspections.

**OPERATOR: PULTE HOMES OF NEW MEXICO**  
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**TOTAL DISTURBED AREA: 58.081 ACRES**  
**RECEIVING WATERS: RIO GRANDE (TIJERAS ARROYO TO ALAMEDA BRIDGE)**  
**REFER TO THE ESC BMP DETAILS (ESC-2) FOR INSTALLATION, INSPECTION AND MAINTENANCE REQUIREMENTS.**

### LA CUMENTISTA III TEMPORARY EROSION AND SEDIMENT CONTROL PLAN

Drawn By:  
**M. VALLEJOS, CPESC, CISEC**      **04/13/22**

**ESC-2**

Start Date-Finish Date (dates to be marked on site plan by operator)	Construction Activity, BMPs, and location
<b>Initial Phase</b>	Pre-Site Grading 1. Install perimeter BMPs (silt fence, erosion control logs, downstream inlet protection, etc.) 2. Construct VTC. 3. Set up construction trailer, construction barrier, and material storage areas, etc. 4. Install sanitary facilities and dumpster 5. Implement stabilization procedures where work is complete or ceases (per section 2.2.14 of the 2022 EPA CGP)
<b>Interim Phase</b>	Site Grading/ Building Construction 1. Mass grade site 2. Construct utilities, infrastructure 3. Building, pavement construction 4. Implement stabilization procedures where work is complete or ceases (per section 2.2.14 of the 2022 EPA CGP)
<b>Final Phase</b>	Final Stabilization 1. Implement stabilization procedures where work is complete or ceases (per section 2.2.14 of the 2022 EPA CGP) 2. Prepare final seeding and landscaping 3. Monitor stabilized areas until final stabilization is reached 4. Remove temporary control BMPs and stabilize any areas disturbed by their removal

ROLE	COMPANY	REPRESENTATIVE NAME	PHONE	EMAIL
OWNER	PULTE HOMES OF NEW MEXICO	KEVIN PATTON	505-341-8591	<a href="mailto:KEVIN.PATTON@PULTEGROUP.COM">KEVIN.PATTON@PULTEGROUP.COM</a>
OPERATOR	PULTE HOMES OF NEW MEXICO	KEVIN PATTON	505-341-8591	<a href="mailto:KEVIN.PATTON@PULTEGROUP.COM">KEVIN.PATTON@PULTEGROUP.COM</a>
BMP MAINTENANCE	SUPERIOR STORMWATER SERVICES, LLC	TIM SLATUNAS	505-353-2558	<a href="mailto:TIM@SUPERIORSTORMWATER.COM">TIM@SUPERIORSTORMWATER.COM</a>
SWPPP INSPECTIONS	GREEN GLOBE ENVIRONMENTAL	TIM SLATUNAS	505-353-2558	<a href="mailto:TIM@GREENGLOBENM.COM">TIM@GREENGLOBENM.COM</a>

Project/Site Name: La Cuentista III Project Street/Location: Rosa Parks Rd. and Urraca St. NW  
City: Albuquerque State: NM ZIP Code: 87120  
County or Similar Subdivision: Bernalillo County  
Acquired:  Raw Land  Finished Lots  
Latitude/Longitude (Use one of three possible formats, and specify method)  
Latitude: 35.17734 Longitude: -106.71576  
Maximum Area to be Disturbed: 13.47 Acres

Method for determining latitude/longitude: Map  
Is the project located in Indian country?  Yes  No  
If yes, name of Reservation, or if not part of a Reservation, indicate "not applicable." Not Applicable  
Is this project considered a federal facility?  Yes  No

**Nature of Construction Activity**  
This project consists of new land development and residential home construction. This SWPPP covers 248 lots, nearly 58.081 acres of the La Cuentista III Project. Pulte Homes of New Mexico is responsible for land development and home building activities including earthwork, infrastructure, and vertical home building. The activities to occur onsite are consistent with residential home construction. If offsite soil borrow or waste areas are needed during construction, they will be identified in the field and are to be marked on the plan in the SWPPP. Refer to Appendix A for vicinity, site plan and BMP plan.

**What is the function of the construction activity?**  Residential (home building)  
 Commercial  Land Development  Industrial  Road Construction  Linear  
 Utility  Other (please specify):



Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
AmB	Alameda sandy loam, 0 to 5 percent slopes	.24	69.1	100.0%
<b>Totals for Area of Interest</b>			<b>69.1</b>	<b>100.0%</b>

Rio Grande (Tijeras Arroyo to Alameda Bridge)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5C	HUC: 13020203 Rio Grande-Albuquerque	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2105_51	20.6.4.105	RIVER	15.6 MILES	2020	2023
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
IRR	Fully Supporting				
LW	Fully Supporting				
MWWAL	Not Supporting	Mercury - Fish Consumption Advisory PCBS - Fish Consumption Advisory Dissolved oxygen Temperature	2020 2010 2008 2010	  2023 (est.) 2023 (est.)	  5/5C 5/5A 5/5A
PC	Not Supporting	E. coli	2020	6/30/2010	4A
PWS	Not Assessed				
WH	Fully Supporting				

**AU Comment:** TMDL for E. coli. Fish Consumption Advisory listings are based on NMs current fish consumption advisories for this water body. Per USEPA guidance, these advisories demonstrate non-attainment of CWA goals stating that all waters should be "fishable." Therefore, the impaired designated use is the associated aquatic life even though human consumption of the fish is the actual concern.



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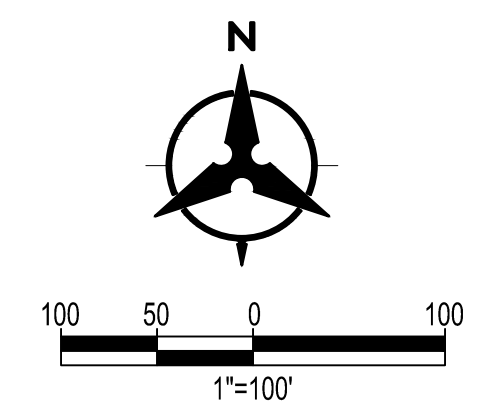
**LA CUENTISTA III**  
**TEMPORARY EROSION AND SEDIMENT CONTROL PLAN**

Drawn By: **M. VALLEJOS, CPESC, CISEC**      **04/13/22**

	<b>ESC-3</b>
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CURVE TABLE				
ID	RADIUS	ARC	DELTA	TANGENT
C1	25.00'	39.27'	90° 00' 00"	25.00'
C2	25.00'	39.27'	90° 00' 37"	25.00'
C3	100.60'	117.62'	66° 59' 22"	66.57'
C4	25.00'	39.27'	90° 00' 00"	25.00'

LEGEND	
	SUBDIVISION BOUNDARY LINE
	TRACT LINE
	ADJOINING PROPERTY LINE
	EXISTING EASEMENT
	PROPOSED EASEMENT
	PERIMETER FENCE
	PROPOSED HOA TRACT

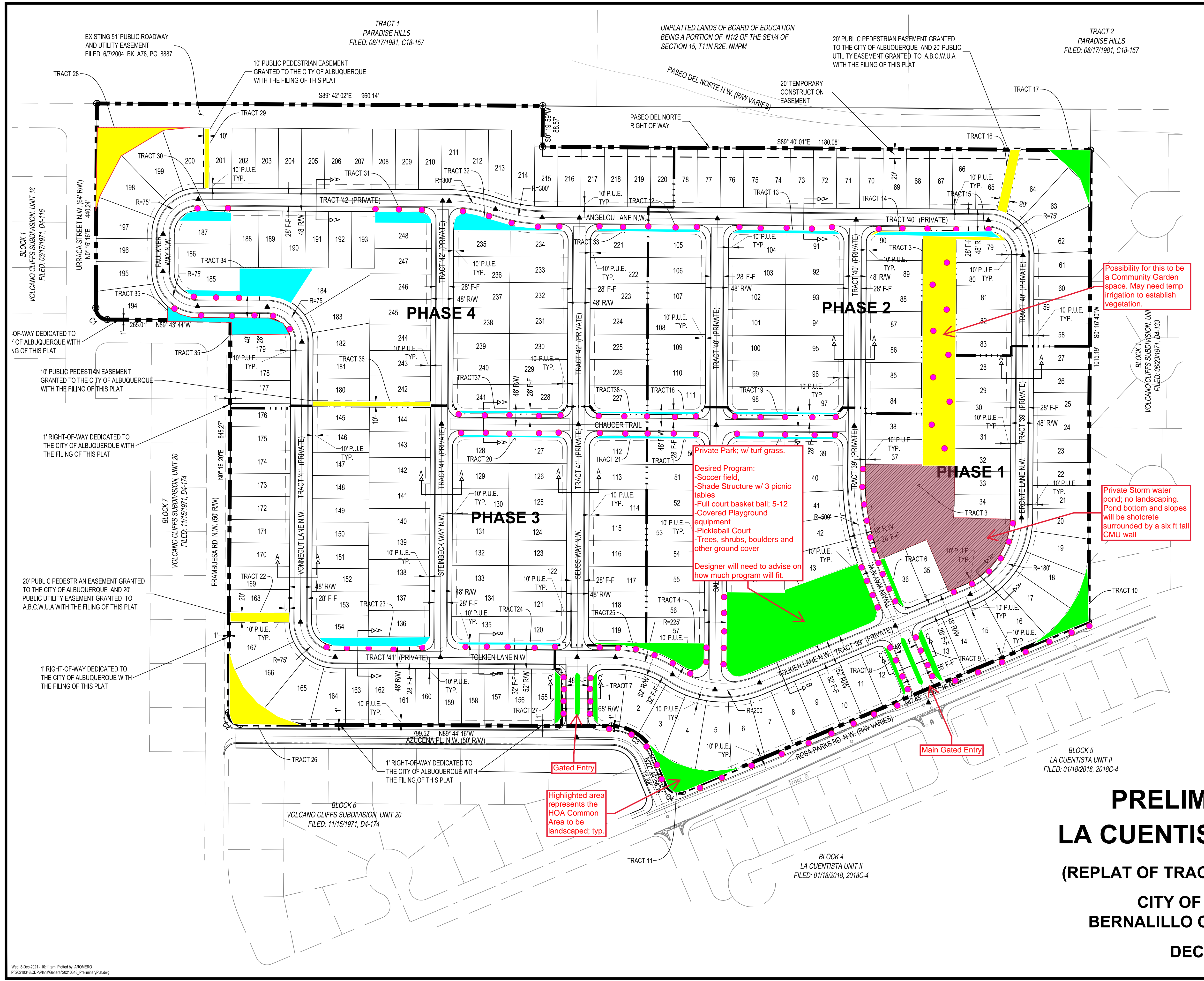


# PRELIMINARY PLAT LA CUENTISTA SUBDIVISION (REPLAT OF TRACT B-1-A AND TRACT B-2-A)

CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO

DECEMBER, 2021

SHEET 2 of 3



Wed, 8-Dec-2021 10:11 am, Plotted by: ARONERO  
P:\2021\1048\CDP\Plan\General\2021034\_PreliminaryPlat.dwg

Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section III of this form requests authorization to discharge pursuant to the NPDES Construction General Permit (CGP) permit number identified in Section II of this form. Submission of this NOI also constitutes notice that the operator identified in Section III of this form meets the eligibility requirements of Part 1.1 CGP for the project identified in Section IV of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in Part 8 of the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form.

## Permit Information

NPDES ID: NMR1004P9State/Territory to which your project/site is discharging: NMIs your project/site located on federally recognized Indian Country lands? NoAre you requesting coverage under this NOI as a "Federal Operator" or a "Federal Facility" as defined in Appendix A (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-a-definitions.pdf>)?NoHave stormwater discharges from your current construction site been covered previously under an NPDES permit? NoWill you use polymers, flocculants, or other treatment chemicals at your construction site? NoHas a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required? YesAre you able to demonstrate that you meet one of the criteria listed in Appendix D (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-d-endangered-species-protection.pdf>) with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?YesHave you completed the screening process in Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>) relating to the protection of historic properties?Yes

Indicating "Yes" below, I confirm that I understand that CGP only authorized the allowable stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

## Operator Information

## Operator Information

Operator Name: PULTE HOMES OF NEW MEXICO

## Operator Mailing Address:

Address Line 1: 7601JEFFERSON ST. NEAddress Line 2: SUITE 320City: ALBUQUERQUEZIP/Postal Code: 87109State: NMCounty or Similar Division: Bernalillo

## Operator Point of Contact Information

First Name Middle Initial Last Name: KEVIN PATTONTitle: DIRECTRO OF LAND PLANNING AND ENTITLEMENPhone: 505-341-8591

Ext.:

Email: KEVIN.PATTON@PULTEGROUP.COM

## NOI Preparer Information

 This NOI is being prepared by someone other than the certifier.First Name Middle Initial Last Name: Mathew F VallejosOrganization: Green Globe EnvironmentalPhone: (505) 304-8473

Ext.:

Email: matt@greenglobenm.com

## Project/Site Information

Project/Site Name: LA CUENTISTA III

## Project/Site Address

Address Line 1: ROSA PARKS RD. AND URRACA ST. NW

Address Line 2:

City: ALBUQUERQUEZIP/Postal Code: 87120State: NM

County or Similar Division: Bernalillo

Latitude/Longitude: 35.177533°N, 106.715805°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: WGS 84

Project Start Date: 04/20/2022

Project End Date: 04/20/2026

Estimated Area to be Disturbed: 59

Types of Construction Sites:

- Single-Family Residential

Will there be demolition of any structure built or renovated before January 1, 1980? No

Will you be discharging dewatering water from your site? No

Was the pre-development land use used for agriculture? No

Are there other operators that are covered under this permit for the same project site? No

Have earth-disturbing activities commenced on your project/site? No

Is your project/site located on federally recognized Indian Country lands? No

Is your project/site located on a property of religious or cultural significance to an Indian tribe? No

Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? Yes

Are there any waters of the U.S. within 50 feet of your project's earth disturbances? No

Are any of the waters of the U.S. to which you discharge designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)? See Resources, Tools and Templates (<https://www.epa.gov/npdes/construction-general-permit-resources-tools-and-templates>)

Yes

## 001: UNIDENTIFIED WATER

Latitude/Longitude: 35.174285°N, 106.713799°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA 303(d) list)? No

Has a TMDL been completed for this receiving waterbody? No

## 002: Rio Grande (Tijeras Arroyo to Alameda Bridge)

Latitude/Longitude: 35.137079°N, 106.684946°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA 303(d) list)? Yes

Impaired Pollutants:

- Dissolved oxygen
- Temperature
- E. coli

Has a TMDL been completed for this receiving waterbody? Yes

TMDL ID: NM2105 Name: RIO GRANDE (TIJERAS ARROYO TO ALAMEDA BRIDGE)

TMDL Pollutants:

- E. coli

Stormwater Pollution Prevention Plan (SWPPP)

Will all required personnel, including those conducting inspections at your site, meet the training requirements in Part 6 of this permit? Yes

First Name Middle Initial Last Name: KEVIN PATTON

Organization:

Title: DIRECTOR OF LAND PLANNING AND ENTITLEMEN

Phone: 505-341-8591

Ext.:

Email: kevin.patton@pultegroup.com

## Determine ESA Eligibility Criterion

Are your discharges and discharge-related activities already addressed in another operator's valid certification of eligibility for your "action area" under the current 2022 CGP? No

Has consultation between you, a Federal Agency, and the USFWS and/or the NMFS under section 7 of the Endangered Species Act (ESA) concluded? Yes

Are your construction activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your site's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat?

No

You must determine whether species listed as either threatened or endangered, or their critical habitat(s) are located in your site's action area (i.e., all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action, including areas beyond the footprint of the site that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges).

## Determine your Action Area

You must consider the following in determining the action area for your site, and **confirm that all the following are true:**

➤ In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my site and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g., perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my site are included in my action area.

True

➤ In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction timing, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.

True

## Determine if ESA-listed species and/or critical habitat are in your site action area.

ESA-listed species and designated critical habitat are under the purview of the NMFS and the USFWS, and in many cases, you will need to acquire species and critical habitat lists from both federal agencies.

### National Marine Fisheries Service (NMFS)

For NMFS species and designated critical habitat information, use the following webpage:

- <https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility> (<https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility>)

I have checked the webpage listed above and confirmed that:

- There are no NMFS-protected species and/or designated critical habitat in my action area.
- There are NMFS-protected species and/or designated critical habitat in my action area.

### U.S. Fish and Wildlife Service (USFWS)

For USFWS species and critical habitat information, use the following webpage:

- <https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility> (<https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility>)

I have checked the webpage listed above and confirmed that:

- There are no FWS-protected species and/or designated critical habitat in my action area.
- There are FWS-protected species and/or designated critical habitat in my action area.

You are eligible under **Criterion A**.

Identify the USFWS information sources used (Note: state resources are not acceptable):

USFWS IPAC, PROJECT CODE: 2022-0029833

Identify the NMFS information sources used (Note: state resources are not acceptable):

USFWS IPAC, PROJECT CODE: 2022-0029833

You must attach:

- Aerial image(s) of the site.
- A printout of the species' list(s) showing no ESA-listed species or designated critical habitat in my action area.

Name	Uploaded Date	Size
Species List_ New Mexico Ecological Services Field Office.pdf (attachment/1500011)	04/12/2022	881.17 KB



Name	Uploaded Date	Size
 La Cuentista III - Vicinity Map.pdf (attachment/1500010)	04/12/2022	17.30 MB

Have you attached aerial image(s) of the site? [Yes](#)

Have you attached a printout of the species' list(s) showing no ESA-listed species or designated critical habitat in my action area? [Yes](#)

Have you provided documentation in your SWPPP supporting your eligibility under Criterion A? [Yes](#)

#### Historic Preservation

Are you installing any stormwater controls as described in Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>) that require subsurface earth disturbances? (Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>), Step 1)

Yes

➤ Have prior surveys or evaluations conducted on the site already determined historic properties do not exist, or that prior disturbances have precluded the existence of historic properties? (Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>), Step 2):

No

➤ Have you determined that your installation of subsurface earth-disturbing stormwater controls will have no effect on historic properties? (Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>), Step 3)

No

➤ Did the SHPO, THPO, or other tribal representative (whichever applies) respond to you within the 15 calendar days to indicate whether the subsurface earth disturbances caused by the installation of stormwater controls affect historic properties? (Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>), Step 4)

Yes

**Describe the nature of their response:** No agreement has been reached regarding measures to mitigate affects to historic properties from the installation of stormwater controls.

#### Certification Information

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 have no personal knowledge that the information submitted is other than 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. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

**Certified By:** Kevin Patton

**Certifier Title:** Director of Land Planning & Entitlements

**Certifier Email:** kevin.patton@pultegroup.com

**Certified On:** 04/20/2022 6:21 PM ET