NPDES FORM 3510-9



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 NOTICE OF INTENT (NOI) FOR THE 2022 NPDES CONSTRUCTION PERMIT

FORM Approved OMB No. 2040-0305

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.

Residency	Permit Information	•		
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Any syste arrangeming coverage under this NOI as a ""Entered Cignotics" of a "Entered Cignotics"	State/Territory to which your project/site is discharging: NM			
indications purpose in the content of the content o	Is your project/site located on federally recognized Indian Country lands? No			
Will you use polymens. Recolates, or other teatment democials at your construction also? Note that is a Stormwarder Pollution Prevention Plan (SWPPP) been prepared in advance of filing this NOL, as required? Yes Any you ask to demonstrate that you meet one of the criteria listed in Appendix 9 (bigs: Nowways a priviyate milliculoscementa/2022-01/0222-opp final-appendix-d-endangerod species protection of proteined or rendergreed packets based under the Debagrierod Species Act (EBA) and believely designated official habita? You completed the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you completed the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you completed the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you completed the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you completed the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you will be deducted the Screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you will be declared that the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you will be declared the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you will be declared that the screening process in Appendix E, Ortgo: Nowways approxystem/files/depointed official habita? Now you will be declared that the screening process in Appendix E, Ortgo: Nowways approxystem of the Screening Polystem Polystem of Screening Polystem	definitions.pdf)?			
As a Stormwater Pollution Prevention Plan (BWPPP) been prepared in advance of filling this NOL, as required? Yes Are you able to demonstrate that you meet one of the criteria listed in Appendix D (https://www.epa.gov/inystem/flee/documents/2022-01/2022-agp-final-appendix de-indicagnet-depoles protection.plf) with respect to protection of threatened or centargered species listed under the Endangered Species Act (Eds) and febreatly designated critical babilit? Yes **Rever you completed the acrossing process in Appendix E (https://www.epa.gov/inystem/flee/documents/2022-01/2022-agp-final-appendix e-initial-reporting properties? Yes **Rever you completed the acrossing process in Appendix E (https://www.epa.gov/inystem/flee/documents/2022-01/2022-agp-final-appendix e-initial-reporting properties? Yes **Rever you completed the acrossing process in Appendix E (https://www.epa.gov/inystem/flee/documents/2022-01/2022-agp-final-appendix e-initial-reporting properties? Yes **Rever you completed the acrossing process in Appendix E (https://www.epa.gov/inystem/flee/documents/2022-01/2022-agp-final-appendix e-initial-reporting properties? Yes **Reducting your bability of the process of the properties of the active properties of the prope	Have stormwater discharges from your current construction site been covered previously under an NP	DES permit? No		
Any you alle to demonstrate that you meet one of the criteria listed in Appendix D (https://www.epa.gov/tystem/lies/documents/2012/-01/2012-appindix-d-pendix-d-endangered-species-protection appendix P (https://www.epa.gov/tystem/lies/documents/2012/-01/2012-appindix-d-pendix-d-endangered-species-protection of historic properties pdf) relating to the protection of historic pdf) relating to the protection of historic	Will you use polymers, flocculants, or other treatment chemicals at your construction site? No			
With respect to protection of threatened or endangered species is inted under the Endangered Species Act (ESA) and federally designated critical habitat? Yes Have you completed the screening process in Appendix E (hitps://livew.epa.gov/system/flee/blocomental/2022-90/1002-app-floids-appendix-e-historic-properties pdf) relating to the protection of historic properties. Yes Indicating Yes bodow, confirm that I understand that COP endy authorized the allowable stomwater discharges in Part 1.2.1 and the allowable one-stommater discharges listed in Part 1.2.2. Any discharges appeal to the part of this permit cannot become surflowfield or inhibitally under COW was extent 40(30) by disclosure to EFA, Atte or local satisfactings in the part 1.2.2. Any discharges fined in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges, fixed in Part 1.2.2 and yes appealed by discharges appealed by di	Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required? Yes			
properties? Yes Indicating "Yes" below. I confirm that I understand that COP only authorized the allowable stormwater discharges in Part 12.1 and the allowable non-stormwater discharges listed in Part 12.2 Any discharge and segressly authorized in his parret cameria become authorized or a helated from fability under COW section 602(3) by discharge in EPA, eliate or local subtorities after issuance of this permit coverage other than the allowable stormwater and non-stormwater discharges listed in Part 12.1 and 12.2 will be discharged, they must be covered under another. NPDEB permit. Vos Operator Information Operator Name: Wige Exterprises Operator Maning Address. Address Line 2: City: Absoporate ZiPPostal Code: 87:07 State: M. County or Similar Division: Eternátio County: US Operator Point of Contact Information First Name Middle Initial Last Name: 20th William First Name Middle Initial Last Name: 20th William NOI Preparer Information First Name Middle Initial Last Name: Middle	with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?			
discharge one agreesty authorized in this permit cannot become authorized or shielded from liability under CVMA section 40(2) by disclosure to EPA, state or local authorized series inscance of this permit via any mana, localing this Notice of Intent (NO) to secure dry the permit. No someware Publish Prevention Park (SVPP) during an instance (if any discharges requiring NPDEs permit. Vavianum and the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the discharged the covered under another NPOES permit. Valid the covered under another NPOES permit. Valid the covered under another NPOES permit. Vali	properties?			
Operator Information Operator Name: Wilger Enterprises Operator Mailling Address: Address Line 1: 425 Edmon Rd. NE Address Line 2: City: Albuquerque ZiPPostal Code: 97107 State: NM County or Similar Division: Bernallio County: US Operator Point of Contact Information First Name Middle Initial Last Name: John Wilger Title: Project Manager Phone: 505-345-2854 Est.: Email: jedger@wilger.com NOI Preparer Information © This NOI is being prepared by someone other than the certifier. First Name Middle Initial Last Name: Middly J Schauer Organization: Inspections Plus LiC Phone: (505) 895-1547 Est.: Email: madelyn@wspectconsplus.com	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.			
Operator Name: Wilger Enterprises Operator Mailling Address: Address Line 1: 225 Edmon Rd. NE Address Line 2: City: Alturquerque ZIP/Postal Code: 87107 State: NM County or Similar Division: Bornalillo Country: US Operator Point of Contact Information First Name Middle Initial Last Name: John Wilger Title: Project Manager Phone: 505-345-2854 Ext: Email: jedger@wilger.com NOI Preparer Information 9' This NOI is being prepared by someone other than the certifier. First Name Middle Initial Last Name: Madelyn J Schauer Organization: inspections Plus LLC Phone: (905) 895-1547 Ext: Email: madelyn@inspectionsplus.com	Operator Information	•		
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Phone: (505) 895-1547 Ext.: Email: madelyn@inspectionsplus.com Project/Site Information ✓	First Name Middle Initial Last Name: Madelyn J Schauer			
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Project/Site Information ✓	Phone: (505) 895-1547 Ext.:			
	Email: madelyn@inspectionsplus.com			
Project/Site Name: 3831 Masthead NE	Project/Site Information	•		
	Project/Site Name: 3831 Masthead NE			

Project/Site Address

Address Line 1: 3831 Masthead NE

Address Line 2: City: Albuquerque ZIP/Postal Code: 87109 State: NM County or Similar Division: Bernalillo Latitude/Longitude: 35.166904°N, 106.599822°W Latitude/Longitude Data Source: GPS Horizontal Reference Datum: WGS 84 Project Start Date: 05/03/2023 Project End Date: 11/18/2023 Estimated Area to be Disturbed: 1.75 Types of Construction Sites: Commercial 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) 001: MS4 and then to Rio Grande Latitude/Longitude: 35.16731°N, 106.60002°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? $\,{\rm No}$ 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: Jim Guthrie Title: Owner - Headstart Enterprises LP Phone: 505-881-8889 Ext.: Email: jim@carcrafters.com Endangered Species Protection Worksheet: Criterion A 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? No

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 is 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):

Project Code: 2023-0078239

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

US Dept of the Interior IPAC

You must attach: 6

- 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 (59).pdf (attachment/1669016)	05/05/2023	248.93 KB
♣ Aerial Image 2023.png (attachment/1669014)	05/05/2023	487.50 KB

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? $\underline{\underline{\mathsf{Yes}}}$

Historic Preservation

Certification Information

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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)

INO

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 property 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

Certified By: Scot McLelland

Certifier Title: Vice President

Certifier Email: betsy@wilger.com

Certified On: 05/04/2023 10:20 PM ET