


NPDES FORM 3510-9		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 NOTICE OF INTENT (NOI) FOR THE 2017 NPDES CONSTRUCTION PERMIT	FORM Approved OMB No. 2040-0004
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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: NMR1001Q2

State where your construction site is located: NM

Is your construction site located on Indian Country Lands? ☐ YES ☒ NO

Are you requesting coverage under this NOI as a *"Federal Operator"* as defined in Appendix A ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_a\\_-\\_definitions\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_a_-_definitions_508.pdf))? ☐ YES ☒ NO

Have stormwater discharges from your current construction site been covered previously under an NPDES permit? ☐ YES ☒ NO

Will you use polymers, flocculants, or other treatment chemicals at your construction site? ☐ YES ☒ NO

Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required? ☒ YES ☐ NO

Are you able to demonstrate that you meet one of the criteria listed in Appendix D ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_d\\_-\\_endangered\\_species\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_d_-_endangered_species_reqs_508.pdf)) with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat? ☒ YES ☐ NO

Have you completed the screening process in Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)) relating to the protection of historic properties? ☒ YES ☐ NO

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 ☐ NO

Operator Information

Operator Information

Operator Name: Overture Senior Living Center- ABQ

Mailing Address:

Street/Location: 1717 W. 6th Street

City: Ausitn State: TX Zip Code: 78703

County or Similar Government Subdivision: TRAVIS

Operator Point of Contact Information

First Name, Middle Initial, LastName: Nic Whittaker

Title: Sr Director of Development

Phone: 512-762-2473 Ext. \_\_\_\_\_

Email: nwhittaker@grey-star.com

Project/Site Information

Project/Site Name: Overture Senior Living Center ABQ

Project/Site Address

Street/Location: 6441 Palomas Ave. NE

City: Albuquerque State: NM Zip Code: 87113

County or Similar Government Subdivision: BERNALILLO

Latitude/Longitude: 35.1733°N, 106.5755°E

Latitude/Longitude Data Source: Google Earth

Horizontal Reference Datum: WGS 84

Project Start Date: 11/26/2018

Project End Date: 12/26/2019

Estimated Area to be Disturbed: 4.25

Types of Construction Sites:

- Senior Living

Will there be demolition of any structure built or renovated before January 1, 1980? ☒ YES ☐ NO

Do any of the structures being demolished have at least 10,000 square feet of floor space? ☐ YES ☒ NO

Was the pre-development land use used for agriculture? ☐ YES ☒ NO

Have earth-disturbing activities commenced on your project/site? ☐ YES ☒ NO

Is your project located on a property of religious or cultural significance to an Indian tribe? ☐ YES ☒ NO

Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? ☒ YES ☐ NO

Are there any waters of the U.S. within 50 feet of your project's earth disturbances? ☐ YES ☒ 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 Appendix F ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_f\\_-\\_tier\\_3\\_tier\\_2\\_and\\_tier\\_2.5\\_waters\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_f_-_tier_3_tier_2_and_tier_2.5_waters_508.pdf))

☐ YES ☒ NO

001: Rio Grande Discharge via Local MS-4 to Rio Grande

Latitude/Longitude: 35.2093°N, 106.6082°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA303(d) list)? ☒ YES ☐ NO

Has a TMDL been completed for this receiving waterbody? ☒ YES ☐ NO

Pollutant	Causing Impairment?	TMDL ID	TMDL Name
E. coli	Yes	210510	Rio Grande (non-pueblo Alameda to Angostura)

Stormwater Pollution Prevention Plan (SWPPP)

First Name, Middle Initial, LastName: Nic Whittaker Whittaker

Title: Sr. Director of Development

Phone: 512-473-4221 Ext.

Email: nwhittaker@greystar.com

Endangered Species Protection

Using the Instructions in Appendix D of the CGP, under which criterion listed in Appendix D are you eligible for coverage under this permit? Criterion C

Provide a brief summary of the basis for criterion selection listed above (the necessary content for a supportive basis statement is provided under the criterion you selected.):

A review of the FWS.gov IPac Trust Resource Report was generated using the general vicinity. The report reveals there no critical habitats are listed in the proposed site immediate action area.

What federally-listed species or federally-designated critical habitat are located in your "action area"?

Rio Grande Silvery Minnow, New Mexico Meadow Jumping Mouse, Mexican Spotted Owl, SW Willow Flycatcher and Yellow Billed Cuckoo

What is the distance between your site and the listed species or critical habitat (miles)?

1 Mile

Copy of your Site Map:

Name	Created Date	Size
2017086-SWPPP-EC-1.pdf	11/12/2018 9:20 AM	1.02 MB

Historic Preservation

Are you installing any stormwater controls as described in Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)) that require subsurface earth disturbances? (Appendix E ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)), Step 1)

☒ YES ☐ NO

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 ([https://www.epa.gov/sites/production/files/2017-02/documents/2017\\_cgp\\_final\\_appendix\\_e\\_-\\_historic\\_properties\\_reqs\\_508.pdf](https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf)), Step 2):

☒ YES ☐ NO

Certification Information

**Certified By:** Nic A. Whittaker (GREYSTAR)

**Certified On:** 11/12/2018 10:33 AM

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.