



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 (SWPPP map) and NOI to obtain approval for:

___ Grading ___ Building Permit ___ Work Order Construction Plans

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

___ **I am submitting the SWPPP map and NOT to obtain a Stabilization Determination**

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

| | | | |
|------------------------------|------------------------------------------|-----------------------------------------------|--------------------------------------------|
| Commercial BP | < 2 acres \$300 <input type="checkbox"/> | 2 to 5 acres \$500 <input type="checkbox"/> | >5 acres \$800 <input type="checkbox"/> |
| Work Order (WO) | < 5 acres \$300 <input type="checkbox"/> | 5 to 40 acres \$500 <input type="checkbox"/> | >40 acres \$800 <input type="checkbox"/> |
| Multi – family BP | < 5 acres \$500 <input type="checkbox"/> | >5 acres \$800 <input type="checkbox"/> | |
| Single Family Residential BP | <5 acres \$500 <input type="checkbox"/> | 5 to 40 acres \$1000 <input type="checkbox"/> | > 40 acres \$1500 <input 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

Rev June 2023



ALL DISTURBED AREAS WITHIN PUBLIC RIGHT-OF-WAY AND PUBLIC EASEMENTS WILL BE STABILIZED WITH NATIVE SEED AND AGGREGATE MULCH PER CITY STD. SPEC. 1012.

ANY SEDIMENT OR STOCKPILES LEFT IN ROADWAY MUST BE REMOVED.

ALL STOCKPILES MUST HAVE SEDIMENT CONTROLS PLACED ON DOWNSLOPE SIDES.

SEE ATTACHED TEMP. POND CALCULATIONS AND DETAILS.

BMP MAP LEGEND

- LIMITS OF DISTURBANCE
- PERIMETER BMP (SILT FENCE)
- FLOW
- PORTABLE TOILETS
- WASTE CONTAINER
- CONCRETE WASHOUT



OPERATOR: RED SHAMROCK 12, LLC

TOTAL SITE AREA: 27.97 ACRES
TOTAL DISTURBED AREA: 6.53 ACRES

RECEIVING WATERS: ON-SITE RETENTION POND

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

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

OXBOW CENTER (UTILITIES AND ROADWAY)

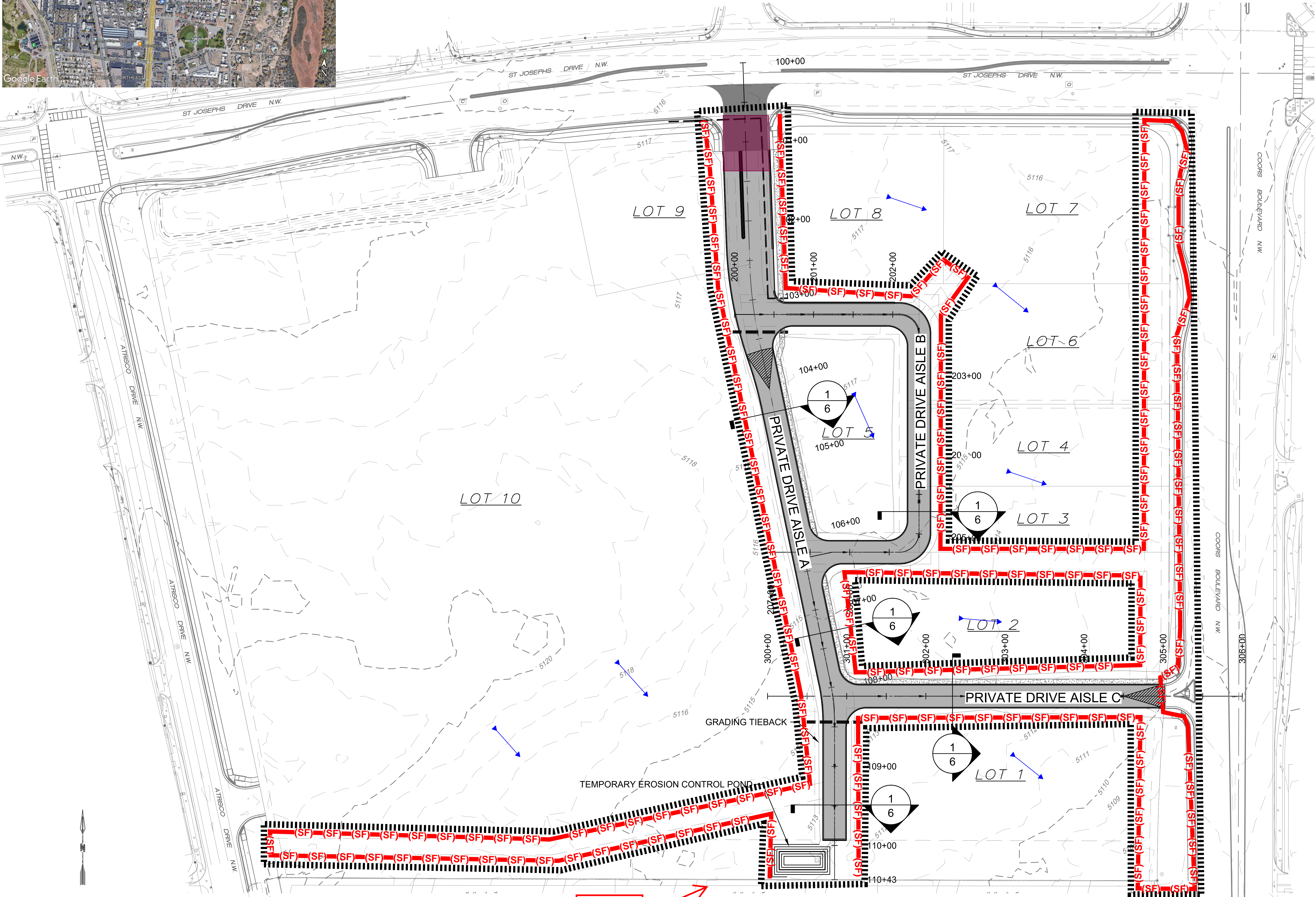
TEMPORARY EROSION AND SEDIMENT CONTROL PLAN

Drawn By:
M. VALLEJOS, CPESC, CISEC

05/08/2024



ESC-1



EXISTING CMU WALL

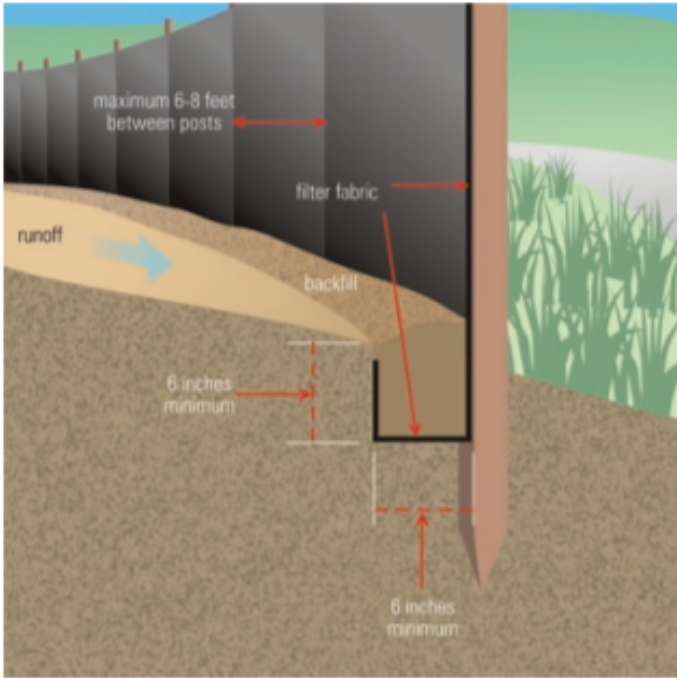
Non-woven Silt Fence
A silt fence is a temporary sediment barrier consisting of a geotextile attached to supporting posts and trenched into the ground. Intended to retain sediment that has been dislodged by stormwater.

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



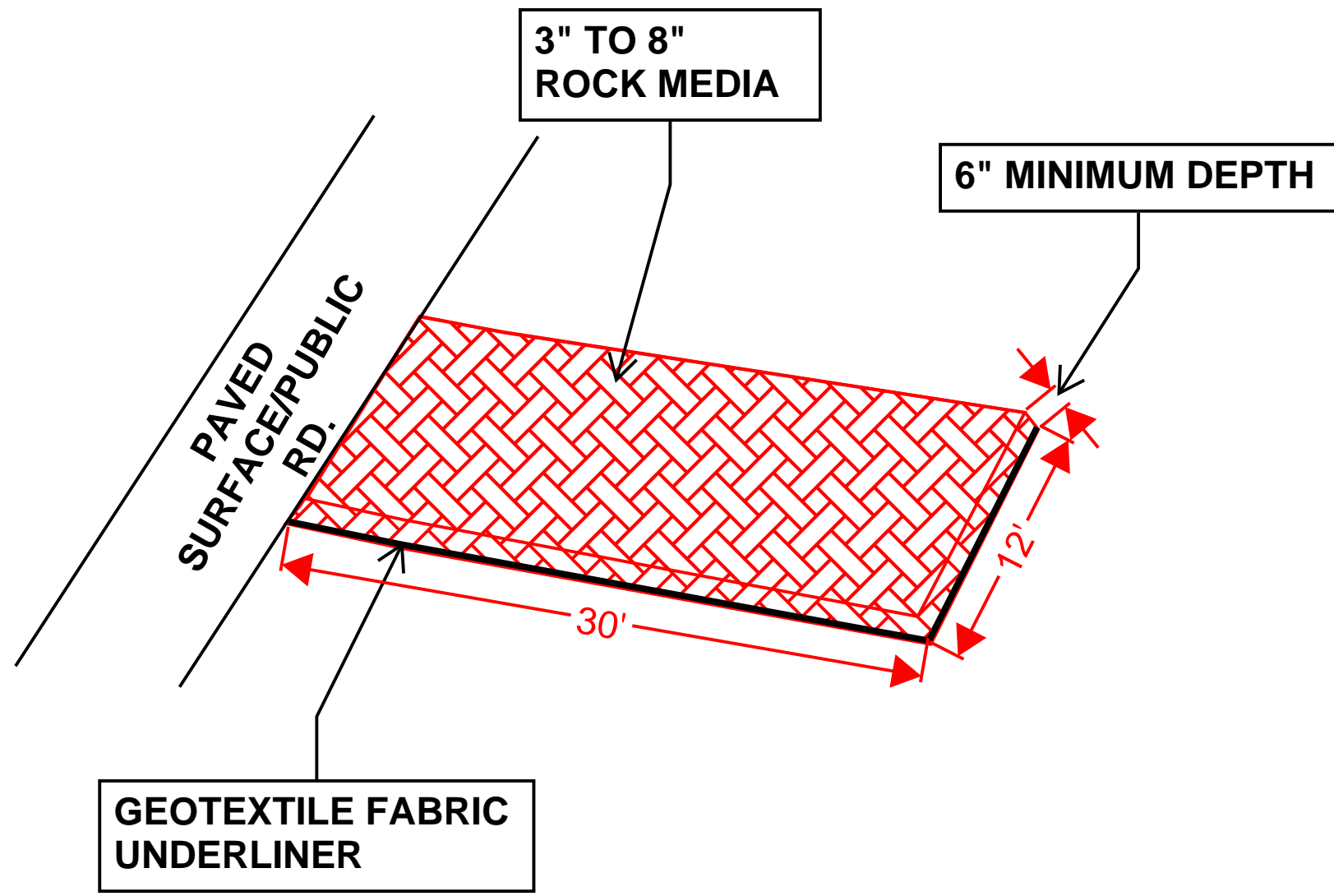
Source: USEPA Guide for Construction Site

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.

VEHICLE TRACK-OUT CONTROL



NOT TO SCALE

- DIMENSIONS NOTED CAN BE SITE RESTRICTIVE.

SEDIMENT BASINS WILL BE INSPECTED WITHIN 24 HRS OF A STORM EVENT PRODUCING 0.25" OR GREATER.

ANY DEFICIENCIES NOTED DURING INSPECITON OF THE BASINS MUST BE ADDRESSED WITHIN 7 CALENDAR DAYS, BEFORE THE NEXT SCHEDULED INSPECTION, OR BEFORE THE NEXT STORM EVENT.

REMOVE ACCUMULATED SEDIMENT TO MAINTAIN AT LEAST ONE-HALF OF THE DESIGN CAPACITY AND CONDUCT ALL OTHER APPROPRIATE MAINTENANCE TO ENSURE THE BASIN OR IMPOUNDMENT REMAINS IN EEFFECTIVE OPERATING CONDITION PER CGP 2.2.12.F.



ESC Plan Standard Notes (2023-06-16)

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 2022 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 specified hereon in the Phasing Plan. Construction of earthen BMP’s such 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 - In accordance with City Ordinance § 14-5-2-11(C)(1), “at a minimum a routine 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. Final Stabilization and Notice of Termination (NOT) - In accordance with City Ordinance § 14-5-2-11(C)(1), self-inspections must continue until the site is “determined as stabilized by the city.” The property owner/operator is responsible for determining when the “Conditions for Terminating CGP Coverage” per CGP Part 8.2 are satisfied and then for filing their Notice of Termination (NOT) with the EPA. Each operator may terminate CGP coverage only if one or more of the conditions in Part 8.2.1, 8.2.2, or 8.2.3 has occurred. After filing the NOT with the EPA, the property owner is responsible for requesting a Determination of Stabilization from the City.
6. When doing work in the City right-of-way (e.g. sidewalk, drive pads, utilities, etc.) prevent dirt from getting into the street. If dirt is present in the street, the street should be swept daily or prior to a rain event or contractor induced water event (e.g. curb cut or water test).
7. When installing utilities behind the curb, the excavated dirt should not be placed in the street.
8. When cutting the street for utilities the dirt shall be placed on the uphill side of the street cut and the area swept after the work is complete. A wattle or mulch sock may be placed at the toe of the excavated dirt pile if site constraints do not allow placing the excavated dirt on the uphill side of the street cut.
9. ESC Plans must show longitudinal street slope and street names. On streets where the longitudinal slope is steeper than 2.5%, wattles/mulch socks or j-hood silt fence shall be shown in the front yard swale or on the side of the street.

OPERATOR: RED SHAMROCK 12, LLC

TOTAL SITE AREA: 27.97 ACRES
TOTAL DISTURBED AREA: 6.53 ACRES

RECEIVING WATERS: ON-SITE
RETENTION POND

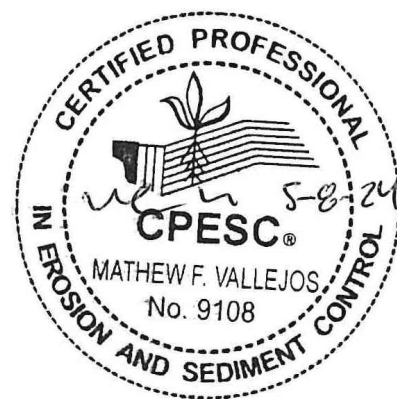
REFER TO THE ESC BMP DETAILS
(ESC-2) FOR INSTALLATION, INSPECTION
AND MAINTENANCE REQUIREMENTS.

OXBOW CENTER (UTILITIES AND
ROADWAY)

TEMPORARY EROSION AND SEDIMENT
CONTROL PLAN

Drawn By:
M. VALLEJOS, CPESC, CISEC

05/08/2024



ESC-2

Nature of Construction Activity:
This project consists of new installation of utilities and grading of roadway. This project covers approximately 6.53 acres of the Oxbow Center project. Red Shamrock 12, LLC is responsible for all construction activities including earthwork, infrastructure, utilities, flatwork, and asphalt paving. The activities to occur on-site are consistent with utility installation and roadway pavement.

Project/Site Name: Oxbow Center
Project Street/Location: Coors Blvd. and St. Josephs
City: Albuquerque
State: NM
Zip Code: 87120
County: Bernalillo

Project Latitude: 35.0756 **Longitude:** -106.6490

Determination of Latitude/Longitude:
☐ USGS topographic map (scale: _____)
☐ EPA Web Site ☒ NM OpenEnviroMap ☐ GPS
☐ Other (please specify): _____

Function of Construction Activity:
☐ Residential ☐ Commercial ☐ Industrial ☐ Linear (roadway)
☐ Linear (Utility) ☒ Development ☐ Other (specify): _____

Is your project/site located on Federal or Native American Lands Yes ☐ No ☒
Description: _____

| ROLE | COMPANY | REPRESENTATVIE NAME | PHONE | EMAIL |
|-------------------|-----------------------------------|---------------------|--------------|----------------------------------------------------------------------------|
| OPERATOR | RED SHAMROCK 12, LLC | JOSHUA SKARSGARD | 505-998-9093 | TRISH@RETAILSOUTHWEST.COM |
| OWNER | RED SHAMROCK 12, LLC | JOSHUA SKARSGARD | 505-998-9093 | TRISH@RETAILSOUTHWEST.COM |
| BMP MAINTENANCE | SUPERIOR STORMWATER SERVICES, LLC | TIM SLATUNAS | 505-353-2558 | TIM@SUPERIORSTORMWATER.COM |
| SWPPP INSPECTIONS | GREEN GLOBE ENVIRIONMENTAL, LLC | TIM SLATUNAS | 505-353-2558 | TIM@GREENGLOBENM.COM |

| Start Date-Finish Date (dates to be marked on site plan by operator) | Construction Activity, BMPs, and location |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Initial Phase | 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) |
| Interim Phase | 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) |
| Final Phase | 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 theremoval |



OPERATOR: RED SHAMROCK 12, LLC

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RECEIVING WATERS: ON-SITE RETENTION POND

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

OXBOW CENTER (UTILITES AND ROADWAY)

TEMPORARY EROSION AND SEDIMENT CONTROL PLAN

Drawn By:
M. VALLEJOS, CPESC, CISEC

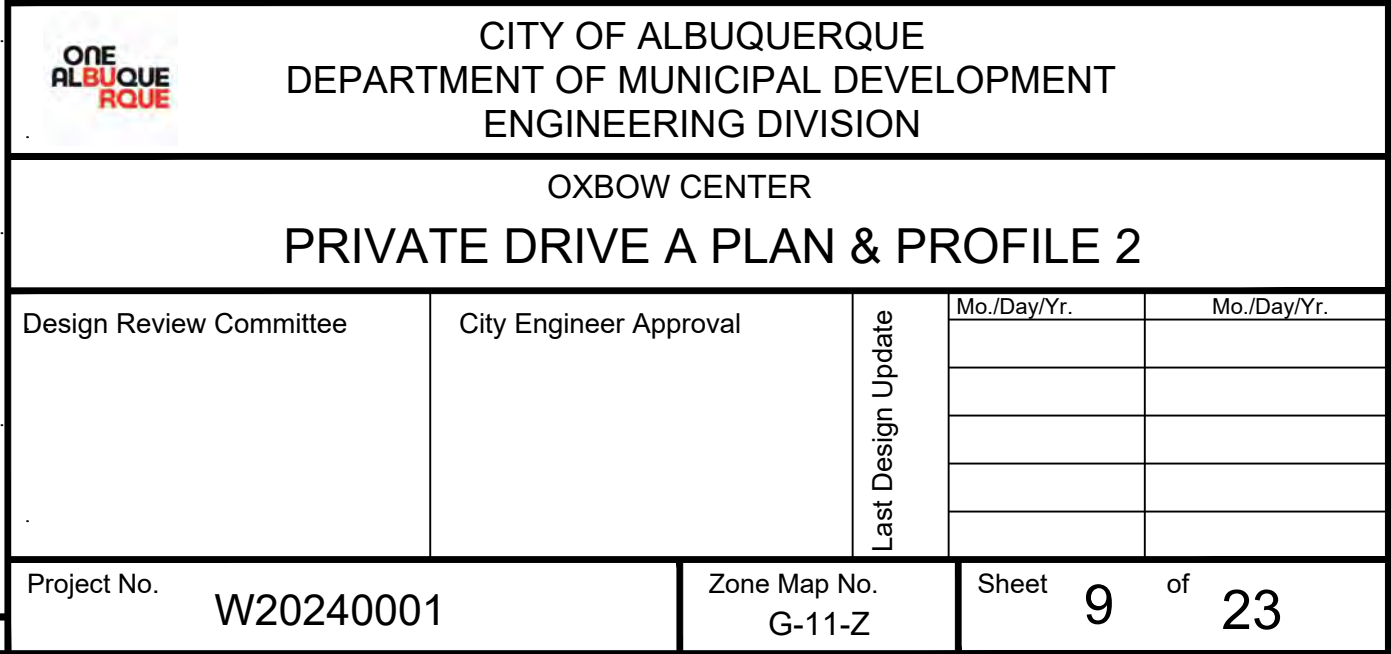
05/08/2024



ESC-3



| Tables — K Factor, Whole Soil — Summary By Map Unit | | | | |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------|--------|--------------|----------------|
| Summary by Map Unit — Bernalillo County and Parts of Sandoval and Valencia Counties, New Mexico (NM600) | | | | |
| Summary by Map Unit — Bernalillo County and Parts of Sandoval and Valencia Counties, New Mexico (NM600) | | | | |
| Map unit symbol | Map unit name | Rating | Acres in AOI | Percent of AOI |
| BCC | Bluepoint loamy fine sand, 1 to 9 percent slopes | .20 | 6.4 | 22.3% |
| MWA | Madurez-Wink associatin, gently sloping | .24 | 22.3 | 77.7% |
| Totals for Area of Interest | | | 28.7 | 100.0% |





Project Name: Oxbow Town Center
Project No: W0007.0004
Sheet Title: Excess Precipitation and Volumetric Runoff
Creation Date: 05/02/2024
Comments: Temporary pond volume at the end of basin P14 (see drainage report)

| Table/Recurrence Interval | Zone |
|---------------------------|------|
| Excess100Year | 1 |

| Areas of Each Treatment | | Excess Precipitation | |
|-------------------------|-------|----------------------|----------|
| Areas | Acres | Land Treatment | E (inch) |
| Aa | 0 | A | 0.55 |
| Ab | 0 | B | 0.73 |
| Ac | 0.04 | C | 0.95 |
| Ad | 0.36 | D | 2.24 |

| Weighted E (inches) | |
|---------------------|------|
| Equation 6.1 | 2.11 |

$$\text{EQUATION 6.1 } \text{Weighted E} = \frac{E_A A_A + E_B A_B + E_C A_C + E_D A_D}{A_A + A_B + A_C + A_D}$$

| Volume (acre- feet) | |
|---------------------|------|
| Equation 6.2 | 0.07 |

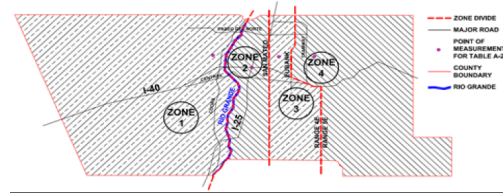
$$\text{EQUATION 6.2 } V_{360} \text{ (as volume)} = \text{weighted E} * (A_A + A_B + A_C + A_D)$$

| Zone | Recurrence Interval (min) | Recurrence Interval (min) | Recurrence Interval (min) | Recurrence Interval (min) |
|-------------|---------------------------|---------------------------|---------------------------|---------------------------|
| PrecipZone1 | 360 | 1440 | 5760 | 14400 |

| For 24 Hour Storms | | | | |
|------------------------|-----------|-----------|----------|---------|
| Precipitation (inches) | 500- Year | 100- Year | 10- Year | 2- Year |
| P (24 hours) | 3.09 | 2.49 | 1.68 | 1.16 |
| P (6 hours) | 2.78 | 2.17 | 1.4 | 0.92 |
| For 4 day Storms | | | | |
| Precipitation (inches) | 500- Year | 100- Year | 10- Year | 2- Year |
| P (4 days) | 3.78 | 3.12 | 2.19 | 1.56 |
| P (6 hours) | 2.78 | 2.17 | 1.4 | 0.92 |
| For 10 Day Storms | | | | |
| Precipitation (inches) | 500- Year | 100- Year | 10- Year | 2- Year |
| P (10 days) | 4.68 | 3.9 | 2.76 | 1.97 |
| P (6 hours) | 2.78 | 2.17 | 1.4 | 0.92 |

| Required Pond Volume (ac-ft) | | | | |
|------------------------------|----------------|----------------|---------------|--------------|
| COA DPM | 500 Year storm | 100 Year storm | 10 Year storm | 2 Year storm |
| Equation 6.3 | 0.08 | 0.08 | 0.08 | 0.08 |
| Equation 6.4 | 0.10 | 0.10 | 0.09 | 0.09 |
| Equation 6.5 | 0.13 | 0.12 | 0.11 | 0.10 |

FIGURE 6.2.3 Precipitation Zones



For 24-hour storms:

$$\text{EQUATION 6.3 } V_{1440} = V_{360} + A_D * (P_{1440} - P_{360}) / 12 \text{ in/ft}$$

For 4-day storms:

$$\text{EQUATION 6.4 } V_{4\text{DAYS}} = V_{360} + A_D * (P_{4\text{DAYS}} - P_{360}) / 12 \text{ in/ft}$$

For 10-day storms:

$$\text{EQUATION 6.5 } V_{10\text{DAYS}} = V_{360} + A_D * (P_{10\text{DAYS}} - P_{360}) / 12 \text{ in/ft}$$



This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0305). Responses to this collection of information are mandatory in accordance with this permit and EPA NPDES regulations (40 CFR 122.28(b)(2)). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information are estimated to average 1.1 to 19.6 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Permit Information

NPDES ID: NMR1006FCState/Territory to which your project/site is discharging: NM

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

Are 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>)?
No

Have stormwater discharges from your current construction site been covered previously under an NPDES permit? No

Will you use polymers, flocculants, or other treatment chemicals at your construction site? No

Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required? Yes

Are 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?

Yes

Have 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: RED SHAMROCK 12, LLC

Operator Mailing Address:

Address Line 1: PO BOX 92558

Address Line 2:

City: ALBUQUERQUEZIP/Postal Code: 87199State/Province: NMCounty or Similar Division: BernalilloCountry: US

Operator Point of Contact Information

First Name Middle Initial Last Name: JOSHUA , SKARSGARDTitle: OWNERPhone: 505-998-9093

Ext.:

Email: TRISH@RETAILSOUTHWEST.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: OXBOW CENTER (UTILITIES & ROADWAY)

Project/Site Address

Address Line 1: COORS BLVD. AND ST. JOSEPHS

Address Line 2:

City: ALBUQUERQUE

ZIP/Postal Code: 87120

State: NM

County or Similar Division: Bernalillo

Latitude/Longitude: 35.126479°N, 106.703746°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: WGS 84

Project Start Date: 05/30/2024

Project End Date: 06/03/2024

Estimated Area to be Disturbed: 6.75

Types of Construction Sites:

- Commercial
- Utility

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)

No

ID: 001 Name: Rio Grande (Tijeras Arroyo to Alameda Bridge) Description:

Latitude/Longitude: 35.125949°N, 106.691224°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? 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: JOSHUA SKARSGARD

Title: OWNER

Phone: 505-998-9093 Ext.:

Email: TRISH@RETAILSOUTHWEST.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 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: 2024-0084436

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

USFWS IPAC, PROJECT CODE: 2024-0084436

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 (1).pdf (attachment/1851221) | 05/07/2024 | 261.12 KB |
| OXBOW CENTER - VICINITY MAP.pdf (attachment/1851220) | 05/07/2024 | 17.25 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):

Yes

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: Joshua J. Skarsgard

Certifier Title: Managing Member

Certifier Email: trish@retailsouthwest.com

Certified On: 05/07/2024 3:22 PM ET