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 Expires on 02/28/2025

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Permit Information

NPDES ID: NMR1006IR

State/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: HEI Construction, LLC

Operator Mailing Address:

Address Line 1: 8900 Washington St. NE

Address Line 2:

City: Albuquerque

ZIP/Postal Code: 87113

State/Province: NM

County or Similar Division: Bernalillo

Country: US

Operator Point of Contact Information

First Name Middle Initial Last Name: Yogash Kumar

Title: Principal

Phone: 505-879-7613 **Ext.:**

Email: yogash@hmsgallup.com

NOI Preparer Information

☑ **This NOI is being prepared by someone other than the certifier.**

First Name Middle Initial Last Name: Sydney Fetter

Organization: E2RC, LLC

Phone: 505-867-4040 **Ext.:**

Email: swppp@e2rc.com

Project/Site Information

Project/Site Name: Avid Hotel

Project/Site Address

Address Line 1: 1441 Woodward Rd. SE

Address Line 2:

City: Albuquerque

ZIP/Postal Code: 87106

State: NM

County or Similar Division: Bernalillo

Latitude/Longitude: 35.050767°N, 106.632947°W

Latitude/Longitude Data Source: Google Earth

Horizontal Reference Datum: WGS 84

Project Start Date: 06/24/2024

Project End Date: 09/30/2025

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? Yes

NPDES permits

NPDES Permit Number
NMR1004TD

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:** Unnamed Tributary **Description:** NM-97.A_015

Latitude/Longitude: 35.051483°N, 106.63311°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

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:** R-Nicholas Eveleigh

Title: Project Manager

Phone: 505-339-6201 **Ext.:**

Email: rne@hmsgallup.com

Endangered Species Protection Worksheet: Criterion B

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? Yes

I have confirmed that the other operator's certification of eligibility accounted for my action area and that the eligibility certification was valid. True

There has been no lapse of NPDES permit coverage in the other operator's certification. True

- **I will comply with all measures that formed the basis of the other operator's valid certification of eligibility.** True

You are eligible under **Criterion B**.

Provide the NPDES ID from the other CGP operator's NOI authorized under this permit: NMR1004TD

Identify the eligibility criterion of the other CGP NOI: Criterion A

Provide the authorization date of the other CGP NOI: 2022-11-17

List any measures that formed the basis of the other operator's valid certification of eligibility that you will comply with (or enter "N/A" if none exist):

N/A

Have you provided documentation in your SWPPP supporting your eligibility under Criterion B, including any of the terms and conditions, as well as the other operator's basis for establishing eligibility?

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: Yogash Kumar

Certifier Title: CEO

Certifier Email: yogash9@yahoo.com

Certified On: 06/17/2024 4:32 PM ET