

# FINAL PLAN

**City of Albuquerque  
Solid Waste Management Department**

**Pino Yards Complex—Clean City  
Division  
(PYCC)**

Storm Water Pollution Prevention Plan (SWPPP)

City of Albuquerque  
Solid Waste Management Department

Pino Yards Complex—Clean City Division (PYCC)  
5501 Pino St NE, Bldg D  
Albuquerque, NM, 87109

Updated: May 2021

Created by:



Updated by:



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## Overview of SWPPP Development and Availability

The City of Albuquerque (City) Solid Waste Management Department (SWMD) owns and operates the Clean City Division located within the Pino Yards Complex (PYCC). The operations of this facility are considered industrial activities that have the potential to impact storm water quality. Therefore, this facility is required to have a National Pollutant Discharge Elimination System (NPDES) permit. SWMD has applied for coverage under the Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity (*MSGP 2021*) (effective March 1, 2021). This Storm Water Pollution Prevention Plan (SWPPP) is required by the *MSGP 2021* and its purpose is to describe SWMD's program for complying with all of the requirements in the *MSGP 2021*. This SWPPP is available at PY at 5501 Pino St NE in Albuquerque NM and online at: <https://www.cabq.gov/municipaldevelopment/our-department/engineering/storm-water-management/storm-water-pollution-prevention-plans>.

Pino Yards is comprised of multiple municipal operations and includes administrative offices, storage and staging yards, warehouses, maintenance facilities, and the City's primary fleet fueling center. Pino Yards is owned by the City. Seven of the entities operating out of the facility are departments within the City. Entities within the Pino Yards Complex include:

- Solid Waste Management Department, Clean City Division
- Department of Finance and Administration, Fleet Management Division
- Parks and Recreation Department, Park Management Division
- Department of Municipal Development, Street Maintenance Division
- Department of Municipal Development, Traffic Engineering Division
- Department of Finance and Administration, Purchasing Division (Warehouse and Surplus Auction)
- Department of Municipal Development, Park Construction Division

As of 2020, the Edith Yards Maintenance Facility (EYMF) began ongoing construction within the facility's property. Due to the construction, the bin (residential trash and recycling bins, trash and recycling roll-offs and dumpsters), storage and maintenance operations were temporarily relocated to PYCC.

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References: 1) 2020-2022 State of New Mexico Clean Water Act §303(d)/ §305(b) Integrated Report. 2) NMED Surface Water Quality Bureau list of TMDLs <http://www.nmenv.state.nm.us/swqb/TMDL/List>.

Location of Discharge Point(s):

PY3:

Latitude:

35 ° 10 ' 16.40" N (degrees, minutes, seconds)

Longitude:

106 ° 34 ' 57.03" W (degrees, minutes, seconds)

Do you discharge into a receiving water designated as a Tier 2 (or Tier 2.5) water?  Yes  No

Are any of your storm water discharges subject to effluent guidelines?  Yes  No

If Yes, which guidelines apply? \_\_\_\_\_

Primary SIC Code or 2-letter Activity Code: 4212

Identify your applicable sector and subsector: Sector P – Land Transportation And Warehousing,  
Subsector P1-Motor Freight Transportation and Warehouse

## 1.2 Contact Information/Responsible Parties

### Facility Owner/Operator:

City of Albuquerque Solid Waste Management Department  
4600 Edith Boulevard NE  
Albuquerque, NM 87107  
Matthew Whelan  
(505) 761-8100  
mwhelan@cabq.gov

### SWPPP Primary Contact:

Mark Sandoval  
Office: (505) 857-8623  
Cell: (505) 313-1486  
marksandoval@cabq.gov

### SWPPP Secondary Contact:

Sounthone Sanouvong  
Office: (505) 917-2985  
ssanouvong@cabq.gov

### Spill Response Plan:

Refer to Appendix E

**24-HOUR EMERGENCY CONTACT (S)**

**MICHAEL BUCHANAN**  
**(505) 768-3910**  
**(505) 250-6880**

**JAKE DAUGHERTY**  
**(505) 761-8324**  
**(505) 264 -0618**

Signage is to be posted where publicly visible with the contact information for the facility and the associated representative from EPA Region 6. The signage will also indicate where this SWPPP can be found publicly.

## 1.3 Storm Water Pollution Prevention Team (PPT)

The storm water pollution prevention team (PPT) is comprised of representatives from the City's SWMD. The responsibility of the PPT is to oversee development of the SWPPP and for implementing and maintaining control measures and taking corrective actions when required. A list of PPT members and contact information is provided in **Appendix A**. A summary of PPT members' responsibilities follows.

- SWMD Superintendent - Responsibilities include SWPPP development and management, facility inspections, storm water monitoring, annual training, EPA annual reporting, NOI submission, spill response and reporting, evaluation of spill data to identify preventative measures, etc.
- PPT Members - Responsibilities include NOI submission, implementation of the SWPPP, quarterly inspections, annual training, implementation of best management practices (BMPs), spill response and reporting, etc.

Each PPT member is provided an electronic copy of the SWPPP and *MSGP 2021*. It is the responsibility of the PPT members to maintain their copy of the SWPPP and ensure its completeness and availability and to fully implement the procedures and best management practices (BMPs). **Appendix A** shall be updated periodically to reflect changes in personnel.

The *MSGP 2021* is included as **Appendix B** of this SWPPP.

## 1.4 Activities at the Facility

The PYCC has three lots that are used to store vehicles and equipment used by PYCC to collect and haul recyclables and graffiti removal, median maintenance, weed abatement, litter collection, and refuse collection (large item pick up and Nob Hill and Old town street containers). Site activities include vehicle and equipment storage, herbicide storage, warehousing, administration and waste handling and disposal. Minor maintenance is performed on vehicles and maintenance of small equipment such as hand tools, weed trimmers, etc. in the maintenance shop on-site. Graffiti removal chemicals, paint, sprayers, and tools are stored near the administration building.

Due to ongoing construction activities at the Edith Yards Maintenance Facility (EYMF), limited industrial activities and equipment storage are conducted by EYMF within the Pino Yards Complex. The EYMF activities at the Pino Yards Complex are covered under the EYMF SWPPP, located at EYMF (4600 Edith Blvd NE, Albuquerque, NM 87109).

## 1.5 General Location Map

The general location of the PYCC is presented in **Figure 1** of **Appendix C**. The layout of the full Pino Yards Complex is shown on **Figure 1b** of **Appendix C**. The remaining figures listed in Appendix C include each lot that both the PYCC and EYMF maintain and include the direction of storm water flow, outfall locations (also referred to herein as "storm water monitoring points" or "storm water drainage points"), and illustration of areas covered by this SWPPP.

## 1.6 Site Maps

As required in Section 6.2.2.3 of the *MSGP 2021*, the figures located in **Appendix C** include the items listed below.

- Site Plan Figures
  - Boundary of the property and size in acres
  - Location and extent of significant structures and impervious surfaces (evident on aerial photograph)
- Drainage Plan Figures
  - Directions of storm water flow
  - Locations of all existing structural storm water control measures
  - Locations of all storm water conveyances including ditches, pipes, and swales
  - Locations of all storm water monitoring points
  - Locations of all receiving waters in the immediate vicinity of the PYCC
  - Locations of storm water drainage points, with a unique identification code for each drainage point
  - Municipal separate storm sewer systems, where your storm water discharges to them.
- Activity Plans Include:
  - Locations of potential pollutant sources identified under MSGP 2021, Part 6.2.3.2
  - Locations of the following activities where such activities are exposed to precipitation:
    - Loading/unloading areas
    - Vehicle and equipment maintenance and/or cleaning areas
    - Locations used for the treatment, storage, or disposal of wastes
    - Liquid Storage Tanks
    - Transfer areas for substances in bulk
    - Machinery
- Non-Storm Water Discharges and Recent Spills Figure

If identified, the following items shall be located as appropriate:

  - Locations and descriptions of all non-storm water discharges identified under MSGP 2021, Part 1.2.2.1
  - Locations where significant spills or leaks identified under MSGP 2021, Part 6.2.3.3 have occurred.
- Not Applicable – The following are not applicable as they are not in existence at the EYMF

- Processing and storage areas
- Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility.
- Locations of all receiving waters in the immediate vicinity of the PYCC.
- Locations and sources of run-on to the site from adjacent property that contains significant quantities of pollutants.

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## Section 2: Potential Pollutant Sources

### 2.1 Industrial Activity and Associated Pollutants

**Table 1** describes industrial activities performed at the PYCC and the potential pollutants associated with them.

**Table 1**  
**Industrial Activities Performed at the PYCC and Associated Potential Pollutants**

Industrial Activity	Associated Potential Pollutants
Building and Grounds Maintenance	Mixed dry herbicides, pesticides, and ice melt.
Painting/Stripping	Paint and graffiti removal chemicals.
Vehicle and Equipment Maintenance	Motor oil, antifreeze coolant, grease/lubricant, batteries, hydraulic fluid diesel, and gasoline.
Vehicle and Equipment Storage	Motor oil and hydraulic fluid.
Equipment Cleaning and Degreasing	Degreasing fluid, oil, wash water, soaps, and detergents.
Vehicle and Equipment Fueling	Unleaded, Diesel.
Outdoor Handling of Materials	Degreasing fluid, used oil, fuels, antifreeze.
Outdoor material Storage	Kerosene, fuels, metal rust, fire extinguishers, paints.
Waste Handling and Disposal	Solid waste, paints, and used oils.
Welding and Metal Storage	Heavy metals.

### 2.2 Spills and Leaks

**Table 2.1** summarizes locations within the PYCC where spills have the potential to occur and which outfall the spill would have potential to affect. **Table 2.2** summarizes locations within the PYCC where spills have occurred in the past three years.

**Table 2.1**  
**Potential Location for Spills**

Location	Outfalls
Building D (Lot 1)	Detention Pond (PY3)
Maintenance Shop and Parking Lot (Lot 2)	Detention Pond (PY3)
Parking Lot (Lot 3)	Detention Pond (PY3)

**Table 2.2**  
**Description of Spills/Leaks**  
**(Past 3 Years)**

Date	Location	Outfalls
No Spills or Leaks Reported in the Last 3 Years.		

The spill locations are identified on Figure 2 of Appendix C. If such a major spill or leak should occur in the future, they will be identified in this section of the SWPPP and shown on Figure 2 of Appendix C.

**Reporting Process:** All operators will report spills greater than 5 gallons to the Superintendent. The following information must be reported:

- Date and time
- Responsible party
- Fluid type and quantity
- Spill location and surface (concrete, asphalt, soil)
- Brief description of activity causing spill

The Environmental Compliance Officer will follow up and notify operator if any additional local, state, or federal reporting is required.

## 2.3 Non-Storm Water Discharges Documentation

*Date of evaluation: February 23, 2021*

*Description of the evaluation criteria used:*

PYCC was visually assessed, photographed, and documented. The summary reports of the evaluation are included in **Appendix D**. Permissible non-storm water discharges permissible under this SWPPP include:

- Discharges from firefighting activity,
- Waterline flushing,
- External building wash down (specifically allowed under MSGP 2021 without the use of detergents assuming no detrimental effect of storm water quality), and
- Incidental air conditioning condensate.

All site areas, including presumed drainage ways were observed during the evaluation. No non-storm water discharges were observed at the PYCC. No actions were necessary as a result of the evaluation because no unauthorized discharges were identified.

## 2.4 Salt Storage

Salt and/or sand used for road deicing are not stored or used at the PYCC.

## 2.5 Sampling Data Summary

Storm water has not yet been sampled at PYCC. However, sampling requirements outline in this SWPPP will address quarterly storm water sampling. Sample and Analysis Plans are available in this SWPPP in **Appendix L** to reference for all sampling plans. Refer to **Appendix M** for Sample Data Reports.

## Section 3: Storm Water Control Measures

Storm water controls at the PYCC are instituted in the form of BMPs designed to address activities that are potential sources of storm water pollution. Each BMP outlines measures designed to reduce the potential for storm water pollution. There are currently seven BMPs implemented at the PYCC. The BMPs are listed in **Table 3** and presented in their entirety in **Appendix E**.

**Table 3**  
**Summary of Best Management Practices**

<b>Material Processing &amp; Maintenance</b>		
BMP-1	General BMPs	Prevent or reduce the discharge of pollutants to storm water from all industrial operations with potential to impact storm water.
BMP-7	Building and Grounds Maintenance	Prevent or reduce the discharge of pollutants to storm water from building and ground maintenance.
<b>Maintenance</b>		
BMP-2	Vehicle and Equipment Maintenance	Prevent or reduce the discharge of pollutants to storm water from all industrial operations with potential to impact storm water.
<b>Storage and Material Processing</b>		
BMP-5	Outdoor Handling, Storage, and Disposal of Waste and Materials	Prevent or reduce the discharge of pollutants to storm water from loading and unloading of material. Prevent run-on and runoff from chemical storage and waste management areas.
<b>Storm Water Control Structures</b>		
BMP-4	Vehicle and Equipment Storage	Prevent or reduce the discharge of pollutants to storm water from outdoor vehicle and equipment storage areas.
BMP-8	Structural Storm Water Controls	Select, implement, and maintain structural storm water controls to manage the volume and/or quality of storm water leaving the property. Storm water volume controls should be installed to manage storm water volume by delaying diverting or reducing the amount of storm water runoff from the site. Storm water quality controls should be installed to prevent pollutants from contacting storm water or removing pollutants from storm water.
<b>Cleaning</b>		
BMP-3	Vehicle and Equipment Cleaning	Prevent or reduce the discharge of pollutants to storm water from vehicle and equipment washing and equipment degreasing.

### 3.1 Minimize Exposure

In order to minimize the exposure of material storage areas to rain, snow, snowmelt, and runoff; and minimize pollutant discharge from industrial activities performed at the PYCC, performing and locating these activities indoors or protecting them with storm resistant cover will be implemented. The following should be performed as needed:

- Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
- Use spill/overflow protection equipment;
- Portable toilets are to be secured with stakes to prevent pollutants from contaminating storm water discharge;
- Roll-off bins are to be stored within a bermed area when parked on site or covered by either a permanent storm resistant cover or with temporary tarp; and
- Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in bermed area that prevent runoff and run-on and also that capture any overspray.

### 3.2 Good Housekeeping

Good housekeeping is regularly conducted at PYCC. Clean City Division operates their own dumpsters which range in size. All dumpsters within Pino Yards are dumped twice per week. Recycling is picked up once per week. PPT members are required to inspect trash receptacles for the presence of potential storm water pollutants (solid waste, hazardous fluids, leachate, etc.) associated with good housekeeping during the quarterly routine facility inspections discussed in Section 5. All used maintenance fluids are properly stored and disposed. Contracted disposal of the used fluids is documented with waste manifests that are maintained for a minimum of three years.

Spills and leaks that occur throughout PYCC are immediately acted upon. Spill clean up materials are stored at designated areas at each lot. Used spill cleanup materials are disposed properly. Employees are trained in proper clean-up and disposal of spill clean-up materials and other contaminated soils. Equipment and material storage areas are kept orderly and are inspected on a regular basis. No fluids are stored withing outdoor material storage areas unless appropriate containment and signage is provided.

### 3.3 Maintenance

Good engineering practices are performed to prevent spills and leaks from occurring from stored vehicles. During routine facility inspections, the PYCC employees inspect all vehicles and equipment to ensure it is in good repair with no drips or leaks evident. This includes:

- Performing inspections and preventive maintenance of storm water drainage, source controls, treatment systems, and equipment that could fail and result in contamination of storm water.
- Diligently maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).

### 3.4 Spill Prevention and Response

As stated in BMPs listed above, a facility-specific Spill Response Plan is posted in all areas where spills and/or leaks are likely to occur. At the PYCC, spill response plans are posted in conspicuous places and as possible near a telephone. Spill response plans shall be posted at the:

- Maintenance areas;
- Chemical Storage areas;
- Waste handling and disposal areas; and
- Vehicle and equipment storage areas.

Spill response procedures and contact information can be found on the spill response plans. A copy of the spill response plan is located in **Appendix E**. Spill prevention and response procedures should be assessed on a quarterly basis for any facility and personnel changes that might affect the efficiency in responding to a spill or release, to include:

- Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
- Notify appropriate facility personnel when a leak, spill, or other release occurs.

Spill cleanup materials are adequately stocked, readily accessible, and labeled at all times. Spent cleanup materials are disposed of immediately and properly. All tanks, drums, buckets, and other storage containers are properly labeled and if stored outdoors, or indoors directly adjacent to a doorway, they encompass secondary containment.

Secondary containment for all fluids is required. It is not expected that fluids will be stored at the facility but in general, specific areas where secondary containment is required include:

- Graffiti removal storage areas,
- Maintenance fluid storage drums, and
- Mobile herbicide/pesticide storage tanks.

Additionally, any parked roll-off containers or waste disposal bins are to be closed/covered. If tarping or lids

are not able to be used for coverage, the roll-off containers must be under permanent coverage, such as a carport or storage structure. If roll-off containers are not covered, the roll-off containers must be within berming to create secondary containment for the stored containers.

### **3.5 Erosion and Sediment Controls**

All surfaces at PYCC are paved with asphalt or concrete. There are no storm water management structures to control erosion and sediment.

### **3.6 Management of Runoff**

All storm water run-off from the PYCC drains directly into the detention pond, where it discharges through an oil water separator and then discharges from the site where PY3 is located. Ultimately, this water drains into the South Domingo Baca Channel before eventually discharging to the North Diversion Channel and finally to the Rio Grande. Storm water management structures are shown on the Site, Drainage, and Activities Plans in **Appendix C**.

### **3.7 Salt Storage Piles or Piles Containing Salt**

No salt is stored at the PYCC.

### **3.8 MSGP Sector-Specific Non-Numeric Effluent Limits**

The PYCC is not subject to Effluent Limitations.

### **3.9 Employee Training**

The SWPPP PPT Leader is responsible for providing training to the PYCC employees regarding the components and goals of this SWPPP. The City now has SWPPP training available online via the Public Service University (PSU). Employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities to meet the conditions of the MSPGP 2021 are required to have appropriate Storm Water Pollution Prevention training.

Training will be provided to PYCC employees by qualified trainers at least annually, with additional training made available as required for new hires. Elements to be included in the training sessions include the following:

- Purpose, need, and requirement for storm water pollution prevention;
- Examples of unallowable non-storm water discharges;
- Availability, layout, and contents of the SWPPP;
- Description and applicability of the BMPs;
- Good housekeeping and preventative maintenance requirements;
- Material management practices;
- Spill response procedures;

- Spill reporting requirements;
- Corrective action reporting;
- Used oil and spent solvent management;
- Fueling procedures;
  
- Proper painting procedures;
- Used battery management;
- Documentation requirements; and
- Notice of Intent (NOI) submission (when applicable).

All training events are documented including the date of training, identification of the trainer and attendees, and subjects covered. Training records for SWMD's train-the-trainer session shall be included in **Appendix F** of this SWPPP.

**Reporting Process:** Following each training session, SWMD will distribute training certificates by email to all staff and PPT members that attend training and submit a training assessment.

### 3.10 Non-Storm Water Discharges

An evaluation of non-storm water discharges was performed as described in Section 2.3 Non-Storm Water Discharges Documentation. No non-storm water discharges were identified during the evaluation. If any future non-storm water discharges are observed at the facility, details of the discharge must be logged on the form in **Appendix D** and included on the Site Plan (**Figure 2** of **Appendix C**).

### 3.11 Waste, Garbage and Floatable Debris

Street Maintenance sweeps the Pino Yards Complex grounds on a weekly basis. Fencing installed around the detention pond area and the grates over storm drain inlets minimize solid waste and floatables reaching the Domingo Baca Channel and blowing off site. Solid waste and recyclable materials are temporarily stored in dumpsters at PYCC. Good housekeeping helps reduce the potential for waste, garbage, and floatable debris from becoming potential storm water pollutants.

### 3.12 Dust Generation

All driving surfaces at the Pino Yards Complex and PYCC are paved, and thus there is little opportunity for dust generation or tracking of industrial materials. Any construction projects disturbing more than one (1) acre conducted on Pino Yards property will be covered under a separate construction SWPPP.

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## Section 4: Schedules and Procedures

### 4.1 Schedules and Procedures Pertaining to Control Measures

Schedules and procedures pertaining to control measures are discussed in Section 3 Storm Water Control Measures. Detailed procedures are provided in the form of BMPs included in **Appendix E**.

### 4.2 Schedules and Procedures Pertaining to Inspections

During normal facility operating hours inspections of areas of the facility covered by the requirements in this permit are conducted, including, but not limited to, the following:

- Areas where industrial materials or activities are exposed to storm water;
- Areas identified in the SWPPP and those that are potential pollutant sources (see Part 6.2.3 MSGP 2021);
- Areas where spills and leaks have occurred in the past three years;
- Discharge points; and
- Control measures used to comply with the effluent limits contained in this permit.

During the inspection, the inspector will examine or look out for the following:

- Industrial materials, residue or trash that may have or could come into contact with storm water;
- Leaks or spills from industrial equipment, drums, tanks and other containers;
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas;
- Erosion of soils at the facility, channel and streambank erosion and scour in the immediate vicinity of discharge points (see Part 2.1.2.5 MSGP 2021);
- Non authorized non-storm water discharges (see Part 2.1.2.9 MSGP 2021);
- Control measures needing replacement, maintenance, or repair.

During an inspection occurring during a storm water event or discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected. If any non-compliant issues are identified during these inspections, the corrective action schedule outlined in Section 4.4 of this SWPPP will be implemented and the SWPPP will be reviewed to determine if modifications are necessary to meet the requirements of the MSGP 2021.

Further procedures for routine facility inspections are provided in **Section 5.1** herein.

#### ***Schedule***

Routine facility inspections will be conducted at least **once per annual quarter** during the entire permit term, or in some instances more frequently (e.g., monthly). At least once each calendar year, the inspection will be conducted during a period when storm water discharge is occurring.

### ***Persons Responsible for Inspections***

Routine facility inspections will be conducted by qualified personnel. The inspections should be conducted by a PPT member or an appropriately trained staff member. A full list of PYCC's PPT members is included in **Appendix A**. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

## **4.3 Schedules and Procedures Pertaining to Monitoring**

### **4.3.1 Quarterly Visual Storm Water Assessment**

Once per annual quarter during the entire permit term, the designee will conduct **quarterly visual storm water assessments** at the designated storm water drainage point; PY3. During quarters without a rainfall event resulting in discharge, the monitoring event will be rescheduled to occur during the predominately rainy season (July – September). During adverse weather conditions which may prevent collection of a sample (i.e. local flooding, high winds, electrical storms, or other dangerous situations), the monitoring event will be substituted with the next storm event. Refer to **Section 5.2** herein for a description of procedures for quarterly visual storm water assessments.

### **4.3.2 State- or Tribal-Specific Monitoring**

None required.

### **4.3.3 Indicator Monitoring.**

Indicator monitoring for storm water discharges are required in the MSGP 2021 for three parameters: pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD). This monitoring is required for subsector P1. Indicator monitoring will provide the facility and EPA with a baseline and comparable understanding of industrial storm water discharge quality and potential water quality problems. These values are “report-only” and do not have thresholds for baseline values for comparison, therefore no follow up action is triggered or required. Indicator monitoring is a condition of the MSGP 2021, and thus failure to conduct the monitoring is a permit violation. Refer to **Section 5.3** herein for a description of procedures for indicator monitoring.

### **4.3.4 Benchmark Monitoring**

Sector P has no benchmark monitoring requirements in the MSGP.

### **4.3.5 Impaired Waters Monitoring**

Impaired waters monitoring is required **annually in the first year of permit coverage** and again in **the fourth year of permit coverage** as described in *Section 4.2.5.1.a of the MSGP 2021 Facilities Required to Monitor Stormwater Discharges to Impaired Waters – Discharges to impaired waters without an EPA-approved or established TMDL of the MSGP 2021*. If a pollutant causing impairment is detected, annual monitoring must continue. Refer to **Section 5.4** herein for description of procedures for Impaired Waters Monitoring.

### **4.3.6 Substantially Identical Discharge Point Exception**

There are no substantially identical discharge points at the PYCC.

## 4.4 Schedules and Procedures Pertaining to Corrective Action

When any of the following conditions occur or are detected during and inspection, monitoring or other means, or if EPA or the Operator of the MS4 through which you discharge informs you that any of the following conditions have occurred, the SWPPP must be reviewed and revised, as appropriate, to minimize pollutant discharge:

- An unauthorized release or discharge (e.g., spill, leak or discharge of non-storm water not authorized by this or another NPDES permit to a water of the United States) occurs at the facility;
- The established storm water control measures are not stringent enough for the storm water discharge to be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards;
- A required control measure was not installed or installed correctly, or is not being properly operated or maintained, and/or;
- A visual assessment shows evidence of storm water pollution (e.g., color odor, floating solids, settled solids, suspended solids, foam).

If construction or a change in design, operation, or maintenance at the PYCC occurs that significantly changes the nature of pollutants discharged via storm water from the facility, or significantly increases the quantity of pollutants discharged, this SWPPP must be reviewed to determine if modifications are necessary to meet the requirements of the MSGP 2021.

When an inspection, monitoring event, or other site observation reveals a condition that may result in storm water pollution, the following corrective action schedule must be implemented:

### 1. Immediate Actions – Within 24 Hours

- a. Minimize or prevent the discharge of pollutants until a permanent solution is implemented.
- b. Cleanup any contaminated surfaces so that material will not discharge in subsequent storm events.
- c. Document the conditions observed. Documentation should include:
  - 1) Condition triggering the corrective action
    - a) For spills include material, volume, reason causing the release
  - 2) Date/time
  - 3) Location
  - 4) Description of immediate actions taken
    - a) For spills include response actions, date/time cleanup completed, notifications made, and staff involved.
  - 5) Signature of an individual with signatory authority.

## 2. Subsequent Actions – Within 14 Days

- a. Install or modify a control measure to prevent continued or reoccurring discharge.
- b. Notify the Environmental Compliance Coordinator in writing of what actions were taken (ddaugherty@cabq.gov, mbuchanan@cabq.gov and MS4Compliance@cabq.gov).
- c. Place written documentation in the corrective action section of the operating SWPPP (**Appendix K**). Documentation should include:
  - 1) Description of corrective actions taken with beginning and end dates.
  - 2) If applicable, document why it is not feasible to have corrective action installation within 14 days and the schedule for completing the controls and making them operational.

## 4.5 Schedules and Procedures Pertaining to Annual Reporting

The *MSGP 2021* requires an annual report be submitted through the NPDES eReporting Tool (NeT) by January 30th of each year of permit coverage containing information generated from the past calendar year.

**Appendix M** includes an example annual report form. This report form is included in this SWPPP for reference only; the actual annual report must be submitted through EPA's NeT system which is accessed through the EPA's central Data Exchange website at <https://cdx.epa.gov/>.

Annual reports shall include a summary of the previous year's routine facility inspections, visual monthly storm water monitoring and any other required storm water monitoring, corrective actions, and documentation.

## Section 5: Inspections

Inspections, conducted at the PYCC facility, are documented on standardized inspection forms. Forms will be updated to reflect the current conditions at each facility as required. All completed inspection forms and associated reports will be attached to this SWPPP in the Reports Section (**Appendix M**). Two types of inspections that are conducted at the facility include Routine Facility Inspections and Quarterly Visual Assessment Inspections of Storm water Discharges.

### 5.1 Routine Facility Inspections

Routine Facility Inspections must document the findings of the facility inspections and maintain this report (**Appendix M**). The inspection findings must be summarized in the annual report per Part 7.4 of the 2021 MSGP. Document all findings, including but not limited to, the following documentation:

- The inspection date and time;
- The name(s) and signature(s) of the inspector(s);
- Weather information;
- All observations relating to the implementation of control measures at the facility, including:
  - A description of any discharges occurring at the time of the inspection;
  - Any previously unidentified discharges from and/or pollutants at the site;
  - Any evidence of, or the potential for, pollutants entering the drainage system;
  - Observations regarding the physical condition of and around all drainage points, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
  - Any control measures needing maintenance, repairs, or replacement;
- Any additional control measures needed to comply with the permit requirements;
- Any incidents of noncompliance; and
- A signed, dated and certified statement.

Specific areas of the facility to be inspected include:

- Fuel storage and dispensing areas;
- Outdoor materials handling and storage areas;
- Areas where spills and leaks have occurred in the past three years;
- Storage areas for vehicle/equipment awaiting maintenance;

- Maintenance areas;
- Maintenance fluid storage areas;
- Loading/unloading areas.
- Fueling areas;
- Loading/unloading areas; and
- Vehicle/equipment cleaning areas.

Include quarterly discharge visual assessments performed during the facility inspection results of the assessment with the report required in *MSGP 2021* Part 3.2, as long as all components of both types of inspections are included in the report.

## 5.2 Quarterly Visual Assessment of Storm Water Discharges

Once per annual quarter for the entire permit term, a storm water sample must be collected from the drainage point (except as noted below) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but must be collected in such a manner that the samples are representative of the storm water discharge. Guidance on monitoring is available at:

[https://www.epa.gov/sites/production/files/2015-11/documents/msgp\\_monitoring\\_guide.pdf](https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf).

**EXCEPTIONS:** *For climates with irregular storm water runoff, facilities located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate), samples for the monthly visual assessments may be distributed during seasons when precipitation runoff occurs.*

The visual assessment must be made:

- Of a sample in a clean, colorless glass or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and you must document why it was not possible to take the sample within the first 30 minutes. In the unexpected case of snowmelt, samples must be taken during a period with a measurable discharge from the site; and
- For storm events, on discharges that occur at least 72 hours (three days) from the previous discharge. The 72-hour (three-day) storm interval does not apply if you document that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period.

You must visually inspect or observe the sample for the following water quality characteristics:

- Color
- Odor

- Clarity (diminished)
- Floating solids
- Settled solids
- Suspended solids
- Foam
- Oil sheen
- Other obvious indicators of storm water pollution

Whenever the visual assessment shows evidence of storm water pollution, initiate the corrective action procedures found in Section 4.4 of this SWPPP.

### **Documentation**

Document the results of the visual assessments and maintain this documentation (**Appendix M**). The visual assessment findings must be included in the annual report per *MSGP 2021* Part 7.4. The documentation of the visual assessment must include, but not be limited to:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination; and
- If applicable, why it was not possible to take samples within the first 30 minutes. Whenever the visual assessment shows evidence of storm water pollution, initiate the corrective action procedures found in Section 4.

## **5.3 Indicator Monitoring**

Indicator monitoring of storm water discharges are required under Sector P – subsector P1 for three total parameters: pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD). This data will provide a baseline and comparable understanding of industrial storm water discharge quality and potential water quality problems.

The indicator monitoring parameters are “report-only” and do not have thresholds or baseline values for comparison, therefore no follow-up action is triggered or required. Indicator monitoring is a permit condition and thus, failure to conduct this monitoring is a permit violation. As noted in Part 2.2.1 of the 2021 MSGP, the storm water discharge will be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards. The samples collected as described below with the following exception, as described in Part 4.1.6 of 2021 MSGP:

**EXCEPTIONS:** *For climates with irregular storm water runoff, facilities located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate), the schedule of indicator monitoring may be modified provided the facility report the revised schedule directly to EPA by the due date of the first indicator monitoring sample. PYCC must keep this revised schedule within the SWPPP as specified in Part 6.5 of 2021 MSGP. PYCC must indicate in Net-DMR any 3-month interval that an indicator monitoring sample was not taken (see Part 4.1.7 of 2021 MSGP).*

### 5.3.1 pH, Total Suspended Solids (TSS), and Chemical Oxygen Demand (COD)

#### *Applicability and Schedule*

Subsector P1 must monitor for pH, TSS and COD. Samples must be analyzed consistent with 40 CFR Part 136 analytical methods.

Indicator monitoring of storm water discharges for pH, TSS and COD will be conducted **quarterly beginning in the first full quarter of permit coverage** as identified in Part 4.1.7 of 2021 MSGP.

## 5.4 Impaired Waters Monitoring

Impaired waters monitoring is required annual in the first year of **permit** coverage and again in the fourth year of permit coverage, unless a pollutant causing an impairment is detected, in which case annual monitoring must continue. For the PYCC facility, Impaired waters monitoring is conducted for E. Coli only when informed by EPA that monitoring is required. Refer to **Part 4.2.5.1.b** of the **MSGP 2021** for additional information. The facility is additionally required for monitor for Polychlorinated Biphenyl (PCB's), Temperature, Mercury, and Dissolved Oxygen (DO) as follows.

#### ***Schedule – First Year of Permit Coverage***

Annual samples will be taken by the facility in the first year of permit coverage, which begins in the first full quarter following May 30, 2021. The PYCC facility will monitor for the above listed pollutants using a standard analytical method, see 40 CFR Part 136, once at each discharge point that discharges storm water to impaired waters without an EPA-approved or established TMDL. Consult EPA Region 6 office for additional guidance regarding required monitoring parameters.

If the results indicate the monitored pollutant is not detected in the discharge sample or is within the acceptable range for a given parameter for the Rio Grande, the PYCC facility may discontinue monitoring for that pollutant for the next two years. Impaired waters monitoring must resume for that pollutant in year four of permit coverage, if applicable, as per **Part 4.2.5.1.a.ii** of the **MSGP 2021**.

If the results indicate that the monitored pollutant is detected in the storm water discharge, or is outside the acceptable range for a given parameter for the Rio Grande, the PYCC facility must continue to monitor for the pollutant(s) annually until no longer detected, after which the facility may discontinue monitoring for that pollutant until monitoring resumes in the fourth year of permit coverage, if applicable, as per **Part 4.2.5.1.a.ii** of the **MSGP 2021**.

#### ***Schedule – Fourth Year of Permit Coverage***

Annual monitoring of Impaired Waters will resume in the fourth year of permit coverage for another year for a subset of parameters monitored for in the first monitoring year. During the fourth year of permit coverage, the PYCC facility will monitor for all pollutants causing impairment(s) associated with the facility's industrial activity. Monitoring will be conducted once at each discharge point, for all pollutants presently impairing the water body, and all associated with the industrial activity of the PYCC facility.

If the results indicate the monitored pollutant(s) is not detected in the discharge or is within the acceptable range for a given parameter for the Rio Grande, the PYCC facility may discontinue monitoring for that pollutant for the remainder of the permit coverage.

If the results indicated that the monitored pollutant(s) is detected in the discharge or is outside the acceptable range for a given parameter for the Rio Grande, the PYCC facility must continue to monitor for the pollutant(s) annually until no longer detected, after which the facility may discontinue monitoring for the pollutant for the remainder of the permit coverage.

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## Section 6: Documentation to Support Eligibility Considerations under Other Federal Laws

### 6.1 Documentation Regarding Endangered Species.

In accordance with the requirements of *MSGP 2021*, an eligibility screening was performed with regards to endangered species. The eligibility screening followed the procedures outlined in Appendix E of the *MSGP 2021*. The PYCC was found to be eligible for coverage under the MSGP with respect to endangered species under **Criterion C1**.

The industrial activities conducted at the PYCC were evaluated and found to be valid under Criterion C1 because there was no changes present in the “action area” as described under permit coverage of the *MSGP 2015*. **Appendix G** of this SWPPP contains a memorandum describing the eligibility screening process and findings.

### 6.2 Documentation Regarding Historic Properties

In accordance with the requirements of *MSGP 2021*, an eligibility screening was performed with regards to historic properties. The eligibility screening followed the procedures outlined in Appendix F of the *MSGP 2021*. **Appendix H** of this SWPPP contains a memorandum describing the eligibility screening process and findings. The PYCC was found to be eligible for coverage under the MSGP with respect to historic properties under Criterion A.

### 6.3 Documentation Regarding NEPA Review (if applicable)

The PYCC is not subject to any New Source Performance Standards (NSPS) as described in Section 1, Table 1-1 of the *MSGP 2021*; therefore, NEPA process review is not required.

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## Section 7: SWPPP Certification

### 7.1 Person (s) Responsible for SWPPP Preparation

The SWPPP shall be prepared in accordance with good engineering practices and to industry standards. The SWPPP was developed by a “qualified person” as defined by the MSGP 2021. A “qualified person” is a person knowledgeable in the principles and practices of industrial storm water controls and pollution prevention and possesses the education and ability to assess conditions at the industrial facility that could impact storm water quality, and the education and ability to assess the effectiveness of storm water controls selected and installed to meet the requirements of the permit.

Name David "Sonny" Cooper, P.E. Title Project Manager

Signature  Digitally signed by David Cooper  
Date: 2021.05.27 10:50:40 -06'00' Date 5/27/2021

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## 7.2 SWPPP Certification

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 contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, 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.

Name Matthew Whelan Title SWMD Director  
Signature  Date 5/27/21

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## SWPPP Appendices

Attach the following documentation to the SWPPP:

**Appendix A Pollution Prevention Team Members**

**Appendix B Multi-Sector General Permit 2021**

**Appendix C Figures**

*Figure 1 Pino Yards Complex General Location Map*

*Figure 1b Pino Yards Complex Site Map*

*Figure 2a Clean City Division at PY Lot 1 Site, Drainage and Activities Plan*

*Figure 2b Clean City Division at PY Lot 2 Site, Drainage and Activities Plan*

*Figure 2c Clean City Division at PY Lot 3 Site, Drainage and Activities Plan*

*Figure 2d Edith Yards Division Lot 1 Site, Drainage and Activities Plan*

*Figure 2e Edith Yards Division Lot 2 & 3 Site, Drainage and Activities Plan*

**Appendix D Evaluation of Non-Storm Water Discharges**

**Appendix E Best Management Practices and Spill Response Plan**

**Appendix F Training Records**

**Appendix G Endangered and Threatened Species Screening Memorandum**

**Appendix H Historic Properties Preservation Screening Memorandum**

**Appendix I Copy of the Notice of Intent, Acknowledgement Letter and Delegation of Authority Letter**

**Appendix J Documentation of Maintenance to Control Measures**

**Appendix K Documentation of Corrective Action Taken**

**Appendix L Sample and Analysis Plans**

**Appendix M Reports**

*M1 – Quarterly Routine Facility Inspections*

*M2 – Quarterly Visual Storm Water Assessment*

*M3 – EPA Industrial Storm Water Sampling Guidance*

*M4 – Annual Report Example*

*M5 – Sampling Data Reports*

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**APPENDIX A  
POLLUTION PREVENTION TEAM MEMBERS**

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**Appendix A**

**City of Albuquerque – Solid Waste Management Department**

**Pino Yards Complex – Clean City Division**

**Pollution Prevention Team Members**

<b>Department</b>	<b>Facility Name</b>	<b>Contact</b>	<b>Responsibility</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>	<b>Phone</b>	<b>Email</b>
Municipal Development	Engineering/Storm Water Design	Shellie Eaton, P.E.	PPT Leader (Primary Contact)	1 Civic Plaza, Room 310	Albuquerque	NM	87103	O: 768-2774	<a href="mailto:seaton@cabq.gov">seaton@cabq.gov</a>
Municipal Development	Engineering/Storm Water Design	Kathy Verhage, P.E.	PPT Leader (Secondary Contact)	1 Civic Plaza, Room 310	Albuquerque	NM	87103	O: 768-3654	<a href="mailto:kverhage@cabq.gov">kverhage@cabq.gov</a>
SWMD	PYCC	Mark Sandoval	Primary Contact	5501 Pino St NE	Albuquerque	NM	87109	O: 857-8623 C: 313-1486	<a href="mailto:marksandoval@cabq.gov">marksandoval@cabq.gov</a>
SWMD	PYCC	Sounthone Sanouvong	Secondary Contact	5501 Pino St NE	Albuquerque	NM	87109	O: 917-2985	<a href="mailto:ssanouvong@cabq.gov">ssanouvong@cabq.gov</a>
SWMD	PYCC	Jake Daugherty	Environmental Compliance Coordinator	4600 Edith Blvd NE	Albuquerque	NM	87107	O: 761-8324 C: 264-0618	<a href="mailto:dougherty@cabq.gov">dougherty@cabq.gov</a>
SWMD	PYCC	Mike Buchanan	Environmental Compliance Coordinator	4600 Edith Blvd NE	Albuquerque	NM	87107	O: 768-3910 C: 250-6880	<a href="mailto:mbuchanan@cabq.gov">mbuchanan@cabq.gov</a>



**APPENDIX B  
MULTI-SECTOR GENERAL PERMIT 2021**

<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-epas-2021-msgp>

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## **APPENDIX C**

### **FIGURES**

*Figure 1 Pino Yards Complex General Location Map*

*Figure 1b Pino Yards Complex Site Map*

*Figure 2a Clean City Division at PY Lot 1 Site, Drainage and Activities Plan*

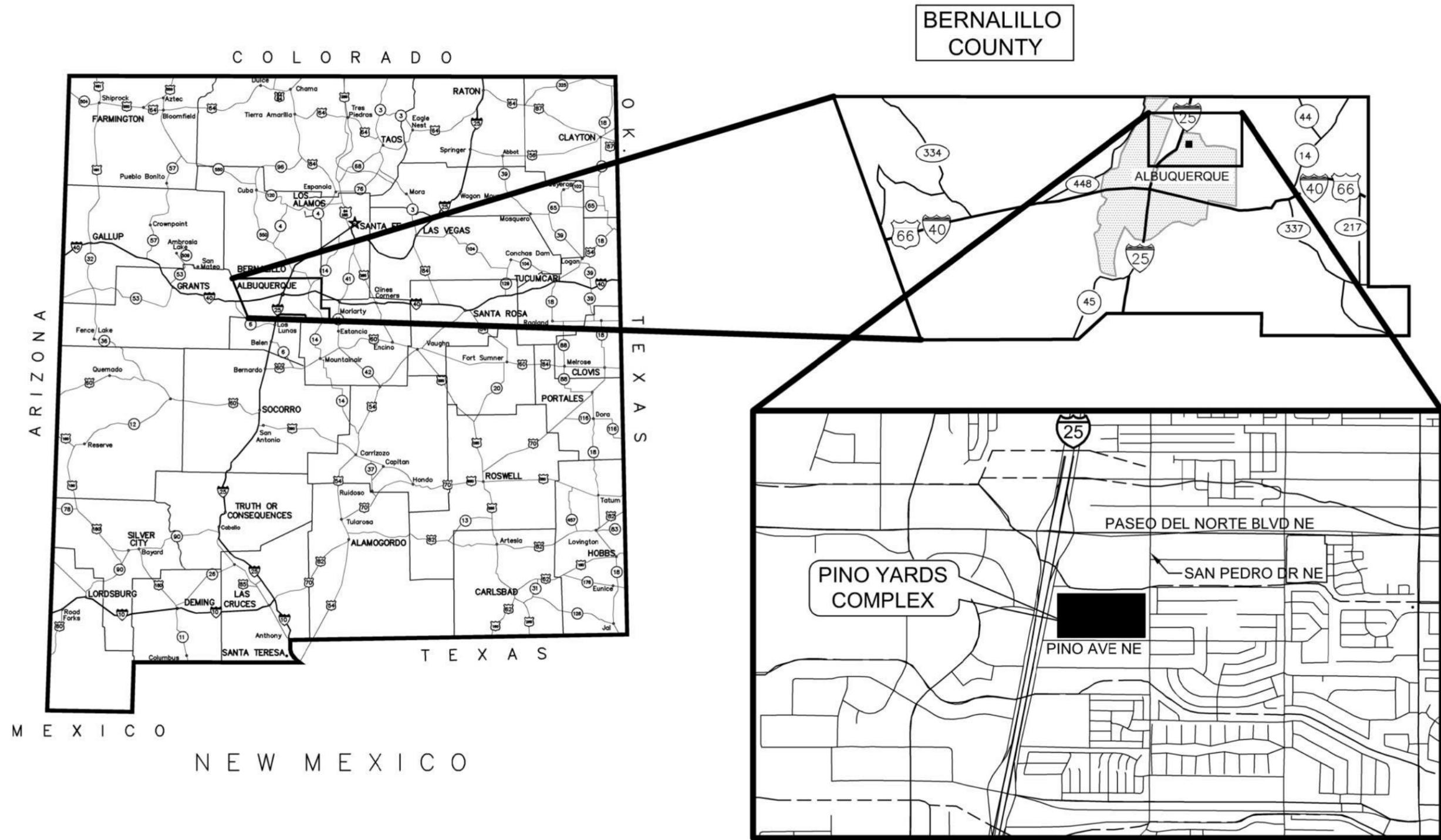
*Figure 2b Clean City Division at PY Lot 2 Site, Drainage and Activities Plan*

*Figure 2c Clean City Division at PY Lot 3 Site, Drainage and Activities Plan*

*Figure 2d Edith Yards Division Lot 1 Site, Drainage and Activities Plan*

*Figure 2e Edith Yards Division Lot 2 & 3 Site, Drainage and Activities Plan*

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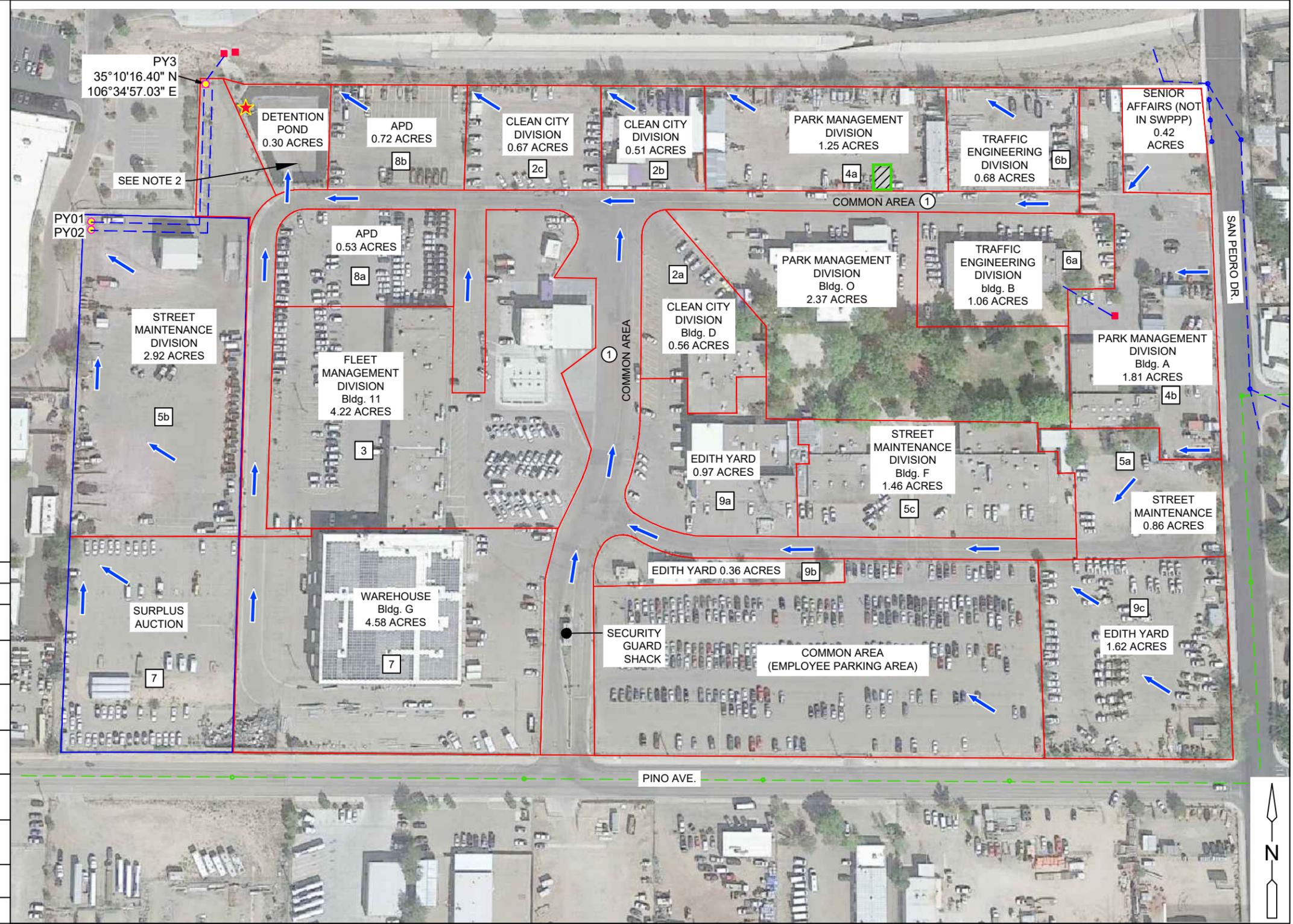
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### LEGEND

- OIL-WATER SEPARATOR
- WASH PAD
- GRATED DROP INLET
- SANITARY SEWER & MANHOLE
- STORM DRAIN & MANHOLE
- SURFACE WATER FLOW DIRECTION
- PY1 & PY2 DRAINAGE AREA
- DETENTION POND DRAINAGE AREA
- PY01 OUTFALL/MONITORING POINT & ID #

- NOTES:**
1. STREET MAINTENANCE WILL MAINTAIN ALL COMMON AREAS.
  2. STORM DRAIN MAINTENANCE WILL MAINTAIN THE DETENTION POND.

FACILITY EXPANDED VIEWS	
FACILITY	FIGURES
CLEAN CITY DIVISION	2a, 2b, & 2c
FLEET MANAGEMENT DIVISION	3
PARK MANAGEMENT DIVISION	4a & 4b
STREET MAINTENANCE DIVISION	5a, 5b, & 5c
TRAFFIC ENGINEERING DIVISION	6
WAREHOUSE & SURPLUS AUCTION	7
APD	8a, 8b, & 8c
EDITH YARDS	9a, 9b, & 9c



City of Albuquerque  
 Storm Water Pollution Prevention Plan (SWPPP)  
 Pino Yard Complex (PY)

Figure No. 1b  
 Pino Yard Site Map

MAY 2021

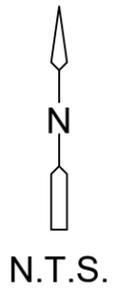


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**LEGEND**

- S SPILL RESPONSE MATERIALS
- ← SURFACE WATER FLOW DIRECTION
- STORM DRAIN TRENCH DRAIN
- FACILITY BOUNDARY
- VEHICLE AND EQUIPMENT STORAGE
- SANITARY SEWER & MANHOLE
- STORM DRAIN & MANHOLE
- 0.65 ACRES SIZE OF PROPERTY IN ACRES



**NOTES:**

1. STORM WATER APPEARS TO DISCHARGE FROM THE WEST SIDE OF THE PROPERTY. STORM WATER IS THEN CONVEYED VIA GUTTER TO THE PINO YARDS STORM WATER DETENTION BASIN.

**MATERIAL HANDLING**

- ① FUELS/OIL
- ② DEGREASING
- ③ SALT STORAGE
- ④ PAINTING/STRIPPING
- ⑤ HERBICIDE/PESTICIDE STORAGE
- ⑥ WASTE HANDLING & DISPOSAL
- ⑦ METALS STORAGE



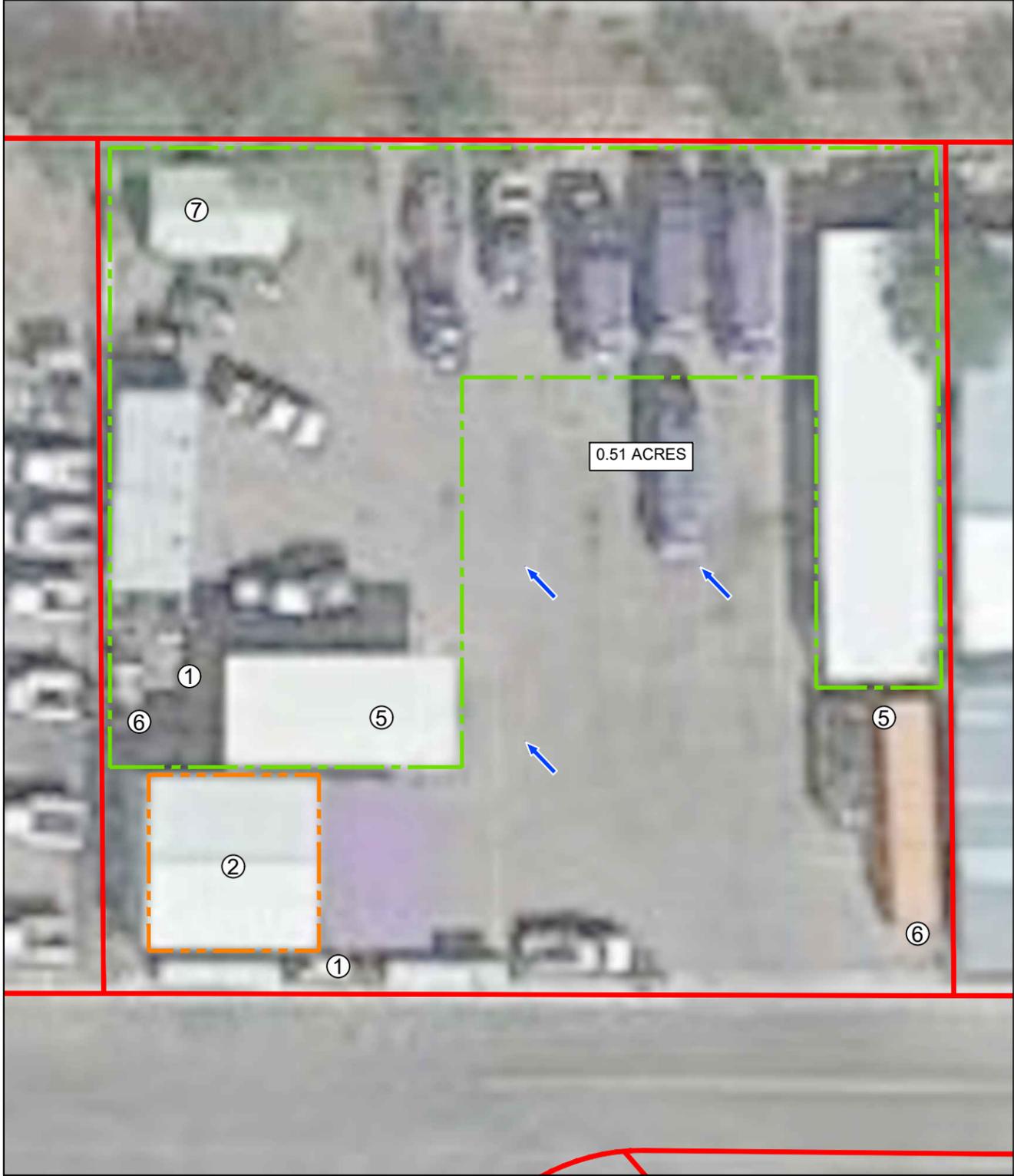
City of Albuquerque  
 Storm Water Pollution Prevention Plan (SWPPP)  
 Pino Yard Complex (PY)  
 Clean City Division Lot 1

Figure No. 2a  
 Site, Drainage, and Activities Plan

MARCH 2021

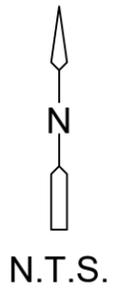


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**LEGEND**

- S SPILL RESPONSE MATERIALS
- ← SURFACE WATER FLOW DIRECTION
- STORM DRAIN TRENCH DRAIN
- FACILITY BOUNDARY
- VEHICLE AND EQUIPMENT STORAGE
- VEHICLE AND EQUIPMENT MAINTENANCE
- SANITARY SEWER & MANHOLE
- STORM DRAIN & MANHOLE
- 0.51 ACRES SIZE OF PROPERTY IN ACRES



**NOTES:**

1. STORM WATER APPEARS TO DISCHARGE FROM THE WEST SIDE OF THE PROPERTY. STORM WATER IS THEN CONVEYED VIA GUTTER TO THE PINO YARDS STORM WATER DETENTION BASIN.

**MATERIAL HANDLING**

- ① FUELS/OIL
- ② DEGREASING
- ③ SALT STORAGE
- ④ PAINTING/STRIPPING
- ⑤ HERBICIDE/PESTICIDE STORAGE
- ⑥ WASTE HANDLING & DISPOSAL
- ⑦ METALS STORAGE



City of Albuquerque  
 Storm Water Pollution Prevention Plan (SWPPP)  
 Pino Yard Complex (PY)  
 Clean City Division Lot 2

Figure No. 2a  
 Site, Drainage, and Activities Plan

MARCH 2021

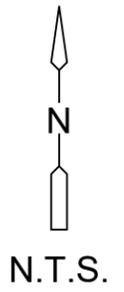


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**LEGEND**

- SPILL RESPONSE MATERIALS
- SURFACE WATER FLOW DIRECTION
- STORM DRAIN TRENCH DRAIN
- FACILITY BOUNDARY
- VEHICLE AND EQUIPMENT STORAGE
- SIZE OF PROPERTY IN ACRES



**NOTES:**

1. STORM WATER APPEARS TO DISCHARGE FROM THE WEST SIDE OF THE PROPERTY. STORM WATER IS THEN CONVEYED VIA SHEET FLOW TO THE PINO YARDS STORM WATER DETENTION BASIN.
2. WATTLES ARE PRESENT ALONG WESTERN SIDE OF LOT 3. STORM WATER CONTROLS ARE MAINTAINED BY CLEAN CITIES DIVISION.

**MATERIAL HANDLING**

- ① FUELS/OIL
- ② DEGREASING
- ③ SALT STORAGE
- ④ PAINTING/STRIPPING
- ⑤ HERBICIDE/PESTICIDE STORAGE
- ⑥ WASTE HANDLING & DISPOSAL
- ⑦ METALS STORAGE



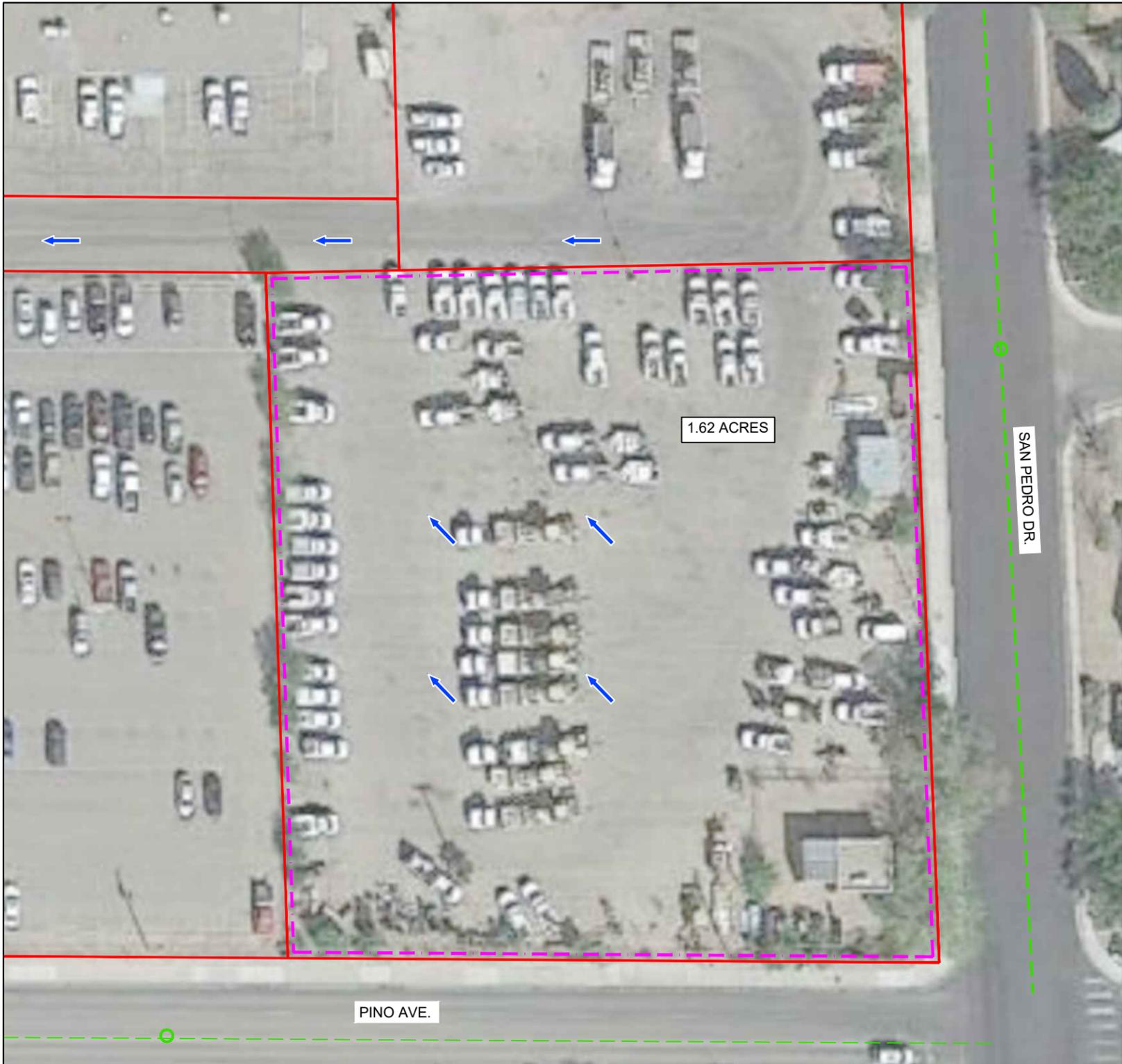
City of Albuquerque  
Storm Water Pollution Prevention Plan (SWPPP)  
Pino Yard Complex (PY)  
Clean City Division Lot 3

Figure No. 2c  
Site, Drainage, and Activities Plan

MARCH 2021

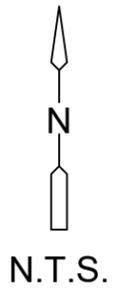


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LEGEND

- S SPILL RESPONSE MATERIALS
- ← SURFACE WATER FLOW DIRECTION
- FACILITY BOUNDARY
- 1.62 ACRES SIZE OF PROPERTY IN ACRES
- ROLL-OFF/NEW BIN STORAGE
- SANITARY SEWER & MANHOLE



NOTES:

1. STORM WATER APPEARS TO DISCHARGE FROM THE NORTHWEST SIDE OF THE PROPERTY. STORM WATER IS THEN CONVEYED VIA GUTTER TO THE PINO YARDS STORM WATER DETENTION BASIN.
2. ALL MAINTENANCE AND PERMIT COVERAGE FOR EDITH YARDS LOTS WITHIN THE PINO YARDS COMPLEX FALL UNDER THE EDITH YARDS PERMIT AND STORM WATER POLLUTION PREVENTION PLAN (SWPPP).

CREATED BY:



City of Albuquerque  
 Storm Water Pollution Prevention Plan (SWPPP)  
 Pino Yard Complex (PY)  
 Edith Yards Division Lot 1

Figure No. 2d  
 Site, Drainage, and Activities Plan

MARCH 2021

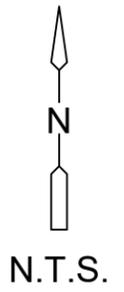


D:\SWPPP Updates\DWG\Pino Yard\Pino\_SWPPP\_Fig 2e\_040821.dwg April 12, 2021 - 7:54am



**LEGEND**

- FACILITY BOUNDARY
- ← SURFACE WATER FLOW DIRECTION
- 0.97 ACRES SIZE OF PROPERTY IN ACRES



**NOTES:**

1. STORM WATER APPEARS TO DISCHARGE FROM THE WEST AND SOUTH SIDES OF THE NORTHERN BOUNDARY AND ON THE NORTH AND WEST SIDES OF THE SOUTHERN BOUNDARY. STORM WATER IS THEN CONVEYED VIA GUTTER TO THE PINO YARDS STORM WATER DETENTION BASIN.
2. ALL MAINTENANCE AND PERMIT COVERAGE FOR EDITH YARDS LOTS WITHIN THE PINO YARDS COMPLEX FALL UNDER THE EDITH YARDS PERMIT AND STORM WATER POLLUTION PREVENTION PLAN (SWPPP).

**MATERIAL HANDLING**

- ① METAL FABRICATION ACTIVITIES
- ② BIN/LID STORAGE



City of Albuquerque  
 Storm Water Pollution Prevention Plan (SWPPP)  
 Pino Yard Complex (PY)  
 Edith Yards Division Lots 2&3

Figure No. 2e  
 Site, Drainage, and Activities Plan

MARCH 2021



**APPENDIX D  
EVALUATION OF NON-STORM WATER DISCHARGES**

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**Memorandum**

*To: Kathy Verhage, P.E., Senior Engineer  
City of Albuquerque, Storm Drainage Design*

*From: Shannon Archuleta*

*Date: February 23, 2021*

*Subject: 2021 Evaluation of Non-Storm Water Discharges at the Pino Yards Complex –  
Clean City Division*

Weston Solutions Inc. (Weston), on behalf of the City of Albuquerque (City) Storm Water Management Section, performed a visual assessment at the Pino Yards Complex – Clean City Division (PYCC) for the presence of non-storm water discharges as described in the Multi-Sector General Permit (MSGP). Weston performed the visual assessment at PYCC on February 23, 2021 for the presence of non-storm water discharges and facility updates. Photographs documenting the assessment are provided in **Attachment 1**. No non-storm water discharges were observed during the assessment.

**Attachments**

Attachment 1 – Photograph Log



**APPENDIX E  
BEST MANAGEMENT PRACTICES AND SPILL RESPONSE PLAN**

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City of Albuquerque - Solid Waste Management Department

Stormwater Pollution Prevention Plan

Best Management Practices

for the

Pino Yards Complex – Clean City Division

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Contents:

- BMP 1.0 – General Best Management Practices
- BMP 2.0 – Vehicle and Equipment Maintenance
- BMP 3.0 – Vehicle and Equipment Cleaning
- BMP 4.0 – Vehicle and Equipment Storage
- BMP 5.0 – Outdoor Handling, Storage, and Disposal of Waste and Materials
- BMP 7.0 – Building and Grounds Maintenance
- BMP 8.0 – Structural Storm Water Controls

Prepared by:



Updated by:



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## BMP 1.0

### Facility-Wide Best Management Practices

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#### ► PURPOSE:

Prevent or reduce the discharge of pollutants to storm water from all industrial operations with potential to impact storm water.

#### ► APPROACH TO EXISTING FACILITY ACTIVITIES:

##### GOOD HOUSEKEEPING

#### 1.01 General

- Maintain exposed areas in a clean and orderly manner.
- Take necessary steps to prevent pollutants from contacting storm water.

#### 1.02 Clean Exterior Equipment Surfaces

- Keep exterior surfaces of vehicles, equipment, and containers clean by eliminating excessive amounts of external oil and grease buildup.
- Use water-based cleaning agents or non-chlorinated solvents to clean equipment, and collect and properly dispose of cleaning fluids.
- Use drum-top absorbent pads to contain small leaks.

#### 1.03 Recycle, Reduce, and Reuse

- Identify opportunities to recycle, reclaim, and/or reuse materials to reduce the volume of materials brought in to the facility and reduce the volume of waste.
- Materials that may be recycled or reused include used oil, grease, antifreeze, brake fluid, solvents, hydraulic fluid, batteries, transmission fluid, washwater, and waste fuel.

#### 1.04 Product Substitution

- Use biodegradable products and substitute materials with less hazardous properties where feasible.

#### 1.05 Limit Material Inventory

- Limit inventory of materials stored on-site to reduce the magnitude of potential spills and waste generation.

##### MINIMIZE EXPOSURE OF POLLUTANTS TO STORM WATER

#### 1.06 Storm-Resistant Shelters

- Where practicable, industrial materials and activities should be protected by a storm-resistant shelter to prevent exposure.

##### PREVENTATIVE MAINTENANCE

#### 1.07 Maintain As-built Drawings

- Maintain as-built prints for all projects.

#### ► TARGETED ACTIVITIES:

- Activities not covered by other BMPs.

#### ► TARGETED POLLUTANTS:

- Fuels, Oils, Grease
- Potable water system flushing fluids
- Solvents
- Soaps, Detergents
- Battery Acid
- Paint

#### ► KEY APPROACHES:

- Keep outside areas maintained
- Store materials and equipment inside to the extent practical
- Conduct preventative maintenance
- Conduct regular inspections
- Train employees in storm water pollution prevention techniques
- Document storm water pollution prevention activities
- Maintain and post Spill Response Plans

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## **BMP 1.0**

### **Facility-Wide Best Management Practices**

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#### **1.08 Design for Pollution Prevention**

- Work with design and construction project managers to incorporate storm water management features into project design.
- Evaluate existing facilities for opportunities to improve functionality and efficiency, and decrease the potential for storm water pollution.
- Features may include:
  - Appropriate surface grading
  - Containment and/or cover
  - Storm water quality structures (e.g., oil/water separators, dead-end sumps, first flush diversion basins)
  - Use of concrete paving rather than asphalt
  - Fluid recycling systems
  - Waste repositories
  - Other control measures to eliminate potential material exposure to storm water

#### **SPILL PREVENTION AND RESPONSE**

#### **1.09 Spill Response Plans**

- Post the plan in a visible location within each work area where spills are likely to occur.
- Develop and implement a Spill Prevention Control and Countermeasure (SPCC) Plan, if required under guidelines set forth in 40 CFR, Section 112.3.

#### **1.10 Maintain Spill Response Equipment and Supplies**

- Maintain adequate supplies of spill response equipment and materials in accessible locations near areas where spills may be likely to occur, including on appropriate vehicles (maintenance vehicles) that may be likely to respond to or be involved in an incident.

#### **1.11 Spill Containment and Response**

- Immediately clean up all spills and leaks.
- Report all spills in accordance with facility specific spill response plan.
- Use drip pans to contain leaks and absorbent booms, mats, or other devices to contain liquid materials (washwater, fuel, etc.) and prevent them from entering the storm drain system.

#### **1.12 Procedures for Cleaning Up Spills and Leaks**

- Use absorbent materials and spill control equipment for temporary and immediate control of spills and leaks of liquid materials.
- Absorbent materials can be used in conjunction with curbing to provide cleanup of small spills within a containment area.
- Collect and remove absorbent materials from area soon after use and dispose of in an appropriate manner.
- Do not hose down the area unless the storm drain is blocked and drainage is collected and disposed of through a permitted connection to the sanitary sewer.

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## **BMP 1.0**

### **Facility-Wide Best Management Practices**

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- Hazardous waste spill response must be consistent with 40 CFR 264 and 265(RCRA).

#### **1.13 Disposal of Collected Fluids**

- Properly dispose of any collected fluids (e.g., spill fluids, or fluids collected in fuel tanks, fueling hydrant sumps, oil/water separators, etc.) according to applicable regulations.
- Vacuum equipment/trucks are recommended for collection. Always dispose of materials in an approved manner; use an approved treatment facility through a permitted connection.
- Never discharge materials to a catch basin or storm drain.

#### **1.14 Minimizing Exposure**

- Where practicable, industrial materials and activities will be protected by a storm resistant shelter to prevent exposure to rain or runoff.

### **ROUTINE FACILITY INSPECTIONS**

#### **1.15 Activity Inspections**

- Perform frequent activity inspections to identify and eliminate non-storm water discharges.
- Stagger inspection times to cover all work periods.

#### **1.16 Storm Drain Inlet Inspections**

- Perform quarterly visual inspections of discharge points into the storm drain system.
- Identify any non-storm water discharges, sediment, debris, or other potential contaminants that may be entering the storm drain system.

#### **1.17 Inspections for Facility Upgrades**

- Perform inspections during design review and project construction phases to ensure drainage, wastewater, and water supply connections are correct (no cross connections or illicit hookups).

#### **1.18 Illicit Connections Inspections**

- Perform construction phase, post-construction, and existing facility inspections to identify improper physical connections to the storm drain system from sanitary sewers, floor drains, industrial process discharge lines, and wash racks.

### **EMPLOYEE/CONTRACTOR TRAINING**

#### **1.19 General Employee Training**

Provide the appropriate level of employee training in the following areas:

- Land transportation and warehousing environmental policies and procedures,
- Spill response and prevention,
- Storm water pollution prevention education,
- Right-to-know awareness training, and
- Hazardous materials management.

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## **BMP 1.0**

### **Facility-Wide Best Management Practices**

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#### **1.20 Storm Water Training**

- Provide annual storm water management training as required in the MSGP-2015, Part 2.1.2.8.
- Incorporate required elements in training program and maintain a log of employee attendance.

#### **1.21 Contractor Education**

- Provide construction and operational contractors and haulers with copies of pertinent BMPs.
- Require contractor/hauler adherence to BMP specifications.
- Provide contractors and subcontractors with copies of relevant BMPs during specification and bidding phases.

#### **1.22 SPCC Training**

- Provide adequate implementation training for facilities with a Spill Prevention Control and Countermeasure (SPCC) Plan, if required, developed under guidelines set forth in 40 CFR 112.3.

#### **MANAGEMENT OF STORM WATER RUNOFF**

#### **1.23 Outdoor Water Supplies**

- Limit availability of outdoor water supplies.
- Post signs at outdoor water sources identifying appropriate uses and discouraging uses that would introduce pollutants to the storm drain system/receiving waters.

#### **RECORDKEEPING AND REPORTING**

#### **1.24 Comply with Record Keeping and Reporting Requirements of the MSGP**

- The record keeping and reporting requirements contained in the MSGP should be followed.



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## BMP 2.0

### Vehicle and Equipment Maintenance

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#### ► PURPOSE:

Prevent or reduce the discharge of pollutants to storm water from vehicle and equipment maintenance and repair, including vehicle and equipment painting/stripping and floor washdowns. Prevent or reduce the discharge of pollutants to storm drains by inspecting activities and discharge points that may increase the potential for discharge.

#### ► APPROACH TO EXISTING FACILITY ACTIVITIES:

##### GOOD HOUSEKEEPING

#### 2.01 Parts Cleaning and Degreasing

- Limit the use of solvents and other cleaning compounds to designated interior areas to promote safe handling and to minimize exposure to storm water.
- Use designated washing, steam cleaning, and degreasing areas to clean equipment. Equipment cleaning shall be conducted in accordance with BMP 3.0.

#### 2.02 Contain Drips, Leaks, and Spills

- Use drip pans when performing outdoor maintenance or use with vehicles or equipment awaiting repair.
- Use adsorbent materials at potential problem areas. Adequately collect and remove adsorbent material from the area after use and dispose of in an appropriate manner.

#### 2.03 Maintain Working Areas

- Do not hose down work areas or use concrete cleaning products unless the storm drain inlets are blocked and washwater is collected and properly disposed of through a permitted sewer connection.
- As an alternative to floor/pavement washing, use mops, dry sweeping compound, or contract professional cleaning services. Confirm the use of appropriate practices by contract cleaning services.
- Store mechanical parts and equipment that may yield even small amounts of contaminants (e.g. oil or grease) indoors or under cover and away from storm drains.

#### 2.04 Disposal of Maintenance Fluids

- Recycle or properly dispose of the following: greases, oils, antifreeze, brake fluid, cleaning solutions, hydraulic fluid, batteries, transmission fluid, and filters.
- Drain and properly dispose of all fluids and remove batteries from salvage vehicles and equipment. Fluid disposal shall occur regularly and properly in accordance with BMP 5.0.

#### ► TARGETED ACTIVITIES:

- Vehicle Maintenance
- Equipment Maintenance

#### ► TARGETED POLLUTANTS:

- Fuels, Oils, Grease
- Solvents
- Soaps, Detergents
- Battery Acid
- Paint

#### ► KEY APPROACHES:

- Conduct maintenance indoors, or in covered area
- Prevent washwater discharges to the storm drain
- Clean catch basins regularly
- Collect and properly dispose of all fluids
- Conduct Preventative Maintenance

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## BMP 2.0

### Vehicle and Equipment Maintenance

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#### MINIMIZE EXPOSURE OF POLLUTANT TO STORM WATER

##### **2.05 Perform Maintenance Activities Indoors**

Where practicable, perform vehicle and equipment maintenance activities indoors to prevent exposure of pollutants to storm water.

#### SPILL PREVENTION AND RESPONSE

##### **2.06 Preventing Pollutant Exposure When Performing Maintenance Activities**

- Move activities and associated materials and waste indoors or provide appropriate controls in maintenance areas, such as cover, berms, sumps, oil/water separators or retention basins to protect storm drains.
- Perform activities away from storm drains or cover storm drains.

#### ROUTINE FACILITY INSPECTIONS

##### **2.07 Maintenance Area Inspections**

- Perform regular inspections of equipment containing greases, oils, fuel, hydraulic fluid, antifreeze etc.
- Keep the equipment in good working order. Replace worn equipment before leaks develop.
- Notify appropriate personnel if it is noticed that vehicles or equipment require maintenance.
- Perform regular inspections of parts washers, hydraulic lifts, or other maintenance support components.

**NOTE:** See BMP 1.0 for generally applicable measures related to Preventative Maintenance, Training, Runoff Management, and Record Keeping and Reporting.

#### **► APPROACH TO FUTURE FACILITIES AND UPGRADES:**

#### DESIGN OF NEW FACILITIES AND EXISTING FACILITY UPGRADES

- Provide covered maintenance areas when designing new facilities or upgrading existing facilities.
- Utilize indoor areas, lean-to, or portable covers.
- Locate outdoor maintenance areas so minimal quantities of runoff cross the site.
- Include appropriate storm water quality structures (oil/water separators, sumps, first flush diversion basins, etc.) in the design of outdoor maintenance areas.



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## BMP 3.0

### Vehicle and Equipment Cleaning

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#### ► PURPOSE:

Prevent or reduce the discharge of pollutants to storm water from vehicle and equipment washing and equipment degreasing.

#### ► APPROACH TO EXISTING FACILITY ACTIVITIES:

##### GOOD HOUSEKEEPING

#### 3.01 Washing Vehicles and Equipment

- Use off-site commercial washing or "dry" washing and surface preparation techniques when possible.
- Remove all materials (i.e., drippings and residue) using vacuum methods and dispose of properly.
- Use biodegradable phosphate-free detergents.
- Follow an approved wash plan or use designated wash areas that are covered and/or bermed to prevent contamination of storm water by contact with wastes.

##### PREVENTATIVE MAINTENANCE

#### 3.02 Outdoor Wash Area Requirements

- Outdoor washing operations should have the following design characteristics:
  - Covered and paved and bermed with Portland cement concrete.
  - Sloped to facilitate washwater collection.
  - Water is collected or discharged to the sanitary sewer.
  - Discharge piping serving uncovered wash areas should have a positive shut-off control valve.
  - Wash areas should be clearly identified with signage.
  - Equipped with an oil/water separator designed to operate under storm water runoff conditions.

##### ROUTINE FACILITY INSPECTIONS

#### 3.03 Wash Area Inspections

- Inspect wash areas for cracks or breaches to berms or concrete surfaces and repair.

#### ► TARGETED ACTIVITIES:

- Vehicle Washing
- Equipment Washing
- Equipment Degreasing

#### ► TARGETED POLLUTANTS:

- Fuels, Oil, Grease
- Solvents
- Vehicle Fluids
- Soaps, Detergents

#### ► KEY APPROACHES:

- Use designated area
- Use dry washing techniques
- Recycle washwater or discharge appropriately
- Cover catch basins
- Provide training



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## BMP 3.0

### Vehicle and Equipment Cleaning

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#### MANAGEMENT OF STORM WATER RUNOFF

##### 3.04 Use Designated Wash Areas

- Use designated areas for washing, steam cleaning, and degreasing.

**NOTE:** See BMP 1.0 for generally applicable measures related to Preventative Maintenance, Training, Runoff Management, and Record Keeping and Reporting.

#### ► APPROACH TO FUTURE FACILITIES AND UPGRADES:

##### DESIGN OF NEW FACILITIES AND EXISTING FACILITY UPGRADES

- Consider off-site commercial washing where feasible. Using appropriate offsite facilities will decrease the waste generated on-site.
- Consider incorporating a washwater recycling system into the project design.
- Outdoor washing operations should have the following design characteristics:
  - Paved with Portland cement concrete.
  - Bermed and/or covered (if feasible) to prevent contact with storm water.
  - Sloped to facilitate washwater collection.
  - Washwater should be collected in a dead-end sump for removal or discharged to the sanitary sewer through a permitted connection.
  - Discharge piping serving uncovered wash areas should have a positive shut-off control valve that allows switching between the storm drain and the sanitary sewer.
  - Clearly designated.
  - Equipped with an oil/water separator designed to operate under storm water runoff conditions (treat storm water).

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## BMP 4.0

### Vehicle and Equipment Storage

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#### ► PURPOSE:

Prevent or reduce the discharge of pollutants to storm water from outdoor storage areas (i.e., fuels, chemicals, bagged material on pallets, soils or asphalt material bulk storage, etc.).

#### ► APPROACH TO EXISTING FACILITY ACTIVITIES:

##### GOOD HOUSEKEEPING

#### 4.01 Vehicles and Equipment Storage

- Use drip pans or specially-designed absorbent pads to contain releases.
- Repair leaks in an expeditious manner.
- Store vehicles and equipment in an area established to contain any incidental leaks and under cover, if possible.
- For long term storage (>30 days), remove fluids and salvage batteries (which often drip oil and other fluids).
- Clean oil, grease or chemical residue off exterior surfaces prior to long term storage.
- Store vehicles and equipment away from curbs, gutters and storm drains.

#### 4.02 Temporary Parking of Tanker Trucks and Materials Transport Vehicles

- Designate areas for parking tanker trucks and material transport vehicles where spills and leaks can be contained and cleaned.
- Use covered loading and unloading areas for transfer of potential pollutants (especially liquid materials), such as building overhangs, to reduce exposure of materials, vehicles, and equipment to storm water.

#### ► TARGETED ACTIVITIES:

- Fuel, Chemical, Equipment Storage

#### ► TARGETED POLLUTANTS:

- Fuel, Oils, Grease
- Solvents
- Hydraulic Fluid
- Soaps, Detergents

#### ► KEY APPROACHES:

- Store materials indoors or under cover
- Store drums, containers on pallets
- Provide berming or secondary containment
- Drain fluids before storage
- Perform and document periodic inspections
- Designate storage areas away from storm drains

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## BMP 4.0

### Vehicle and Equipment Storage

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#### ► APPROACH TO FUTURE FACILITIES AND UPGRADES:

##### DESIGN OF NEW FACILITIES AND EXISTING FACILITY UPGRADES

- Require the use of appropriate water quality control structures for fuel and chemical storage areas such as detention/retention basins and sumps.
- Develop appropriate minimum performance standards for these water quality control structures and implement a reporting program to monitor the performance and maintenance of these structures.
- Chemical, fuel, and oil dispensing areas should be covered, if possible.
- Develop standard guidelines for the management of storm water which collects in secondary containment areas.

**NOTE:** See BMP 1.0 for generally applicable measures related to Preventative Maintenance, Training, Runoff Management, and Record Keeping and Reporting.

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## BMP 5.0

### *Outdoor Handling, Storage, and Disposal of Waste and Materials*

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#### ► PURPOSE:

Prevent or reduce the discharge of pollutants to storm water from loading and unloading of material. Prevent or reduce the discharge of pollutants to storm water from waste handling and disposal by tracking waste generation, storage, and disposal; reducing waste generation and disposal through source reduction, re-use, and recycling; and preventing run-on and runoff from waste management areas, including garbage collection areas.

#### ► APPROACH TO EXISTING FACILITY ACTIVITIES:

##### GOOD HOUSEKEEPING

#### 5.01 Material and Waste Handling

- Transfer, use, and store liquid materials only in paved areas.
- Designate central storage locations where materials are contained (i.e., curbing, secondary containment, etc.) and covered to prevent contact with storm water runoff and to reduce the risks of accidental spills.
- Segregate wastes to improve handling and promote recycling.

#### 5.02 Dispensing Liquids

- Dispensing materials from upright drums equipped with hand pumps is preferred.
- Avoid dispensing from drums positioned horizontally in cradles.
- Always use secondary containment and self-closing spigots if dispensing from horizontally positioned drums.

#### 5.03 Signage for Storage Locations

- Post signs at all storage locations in clearly visible locations noting the materials stored, emergency contacts, and spill cleanup procedures.

#### 5.04 Containers and Container Labeling

- Store all materials sealed in their original containers or containers approved for that use.
- Clearly label all containers with contents to prevent co-mingling of materials, storage of incompatibles, and improper handling, and to promote proper material handling and storage.
- Utilize required labeling procedures for storage of all hazardous wastes.
- Identify and properly dispose of all unlabeled and unknown materials.

#### ► TARGETED ACTIVITIES:

- Fuel Storage
- Chemical Storage
- Equipment Storage
- Garbage Collection
- Painting and Stripping

#### ► TARGETED POLLUTANTS:

- Fuels, Oils, Grease
- Solvents
- Soaps, Detergents
- Pesticides
- Battery Acid

#### ► KEY APPROACHES:

- Conduct loading and unloading under cover
- Store materials indoors or under cover
- Store empty drums, containers, tires on pallets
- Transfer materials in paved areas, away from storm drain inlets
- Contain and absorb leaks/spills that occur during material transfer
- Provide berming or secondary containment
- Perform and document periodic inspections
- Check loading equipment regularly for leaks

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## **BMP 5.0**

### ***Outdoor Handling, Storage, and Disposal of Waste and Materials***

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#### **5.05 Used Battery Management**

- Recycle used batteries no later than 30 days after removal to promote recycling of materials and reduction of waste.
- Store batteries on spill containment and under cover.

#### **5.06 Used Oil Containers and Filters**

- Drain and crush oil filters and containers before recycling or disposal.
- Store crushed waste in a leak-proof container.
- Contain drained items in sealed plastic bags prior to disposal.

#### **5.07 Eliminate Bone yards**

- Eliminate waste collection piles (bone yards), which tend to conceal and lead to mismanaged waste and materials.

#### **5.08 Waste and Unusable Material Disposal**

- Regularly inspect storage and work areas for unusable materials and waste that can be disposed.
- Schedule waste pickup as frequently as needed to minimize storage time and avoid overloaded containers.
- Ensure that all materials are properly characterized and disposed.

#### **5.09 Garbage Collection (Dumpster) Area Maintenance**

- Provide shelter and secondary containment for dumpsters, if possible.
- Use covered dumpsters and keep them closed and locked.
- Use only dumpsters with plugged drain holes to prevent discharge of leachate or fluids.
- Do not dispose of liquid wastes such as oils or hazardous materials into dumpsters and completely drain liquid waste containers prior to disposal of containers.
- Perform dumpster cleaning in designated areas that are bermed to contain washwater for subsequent disposal or discharge to the sanitary sewer.

#### **5.10 Procedures for Servicing Potable Water Systems**

- Perform water truck flushing operations only in designated areas.
- Collect all discharge from water truck flushing containing Purine, chlorine bleach, or other chemicals and properly discharge to a permitted sanitary sewer connections or recycle the water.
- Do not perform flushing near or discharge to storm drains.

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## **BMP 5.0**

### ***Outdoor Handling, Storage, and Disposal of Waste and Materials***

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#### **PREVENTATIVE MAINTENANCE**

##### **5.11 Outdoor Storage Area Requirements**

- Outdoor storage areas should be covered, if possible.
- When selecting storage sites, avoid excessive slope, locations near storm drain inlets, and locations near public access areas.

#### **SPILL PREVENTION AND RESPONSE**

##### **5.12 Preventing Pollutant Exposure During Material Transfer**

- Position vehicles used for material transfer such that activities are protected from rainfall and that possible spills can be contained.
- Provide hand pumps, containment devices, and other transfer devices to facilitate material transfer.

##### **5.13 Preventing Pollutant Exposure for Material or Waste Storage**

- Move materials and waste indoors or store away from drains.
- All material stored outside, no matter how temporary, should be placed on secondary containment and under cover, if possible.
- Materials not stored under cover should be covered and exposed exterior surfaces should be clean.

#### **ROUTINE FACILITY INSPECTIONS**

##### **5.14 Material/Waste Transfer Area Inspections**

- Inspect loading/unloading areas and material use areas for needed repairs and patching.

##### **5.15 Material and Waste Storage Area Inspection (Containers and Tanks)**

- Periodically inspect storage areas (containers and tanks):
  - Check containers for external corrosion and structural failure.
  - Check for spills and overfills due to operator failure.
  - Check for failure of piping system (pipes, pumps, flanges, couplings, hoses, and valves).
  - Check for leaks or spills during pumping of liquids or gases.
  - Visually inspect new tanks or containers for loose fittings, poor welds, and improper or poorly fitted gaskets.
  - Inspect tank foundations and storage area coatings.

---

## **BMP 5.0**

### ***Outdoor Handling, Storage, and Disposal of Waste and Materials***

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#### **EMPLOYEE / CONTRACTOR TRAINING**

##### **5.16 Waste Management Training**

- Train employees on the proper disposal procedures for operations-derived wastes.

#### **MANAGEMENT OF STORM WATER RUNOFF**

##### **5.17 Protect Storage Areas from Run-On and Runoff**

- Protect all significant materials from rainfall, run-on, runoff, and wind dispersal.
- Options include:
  - Store material indoors or in a fully enclosed area.
  - Permanently cover outdoor storage area with a roof, overhang, or awning.
  - Use temporary covering of polyethylene, polypropylene, or hypalon.
  - Use control measures such as berms and secondary containment.
  - Reduce the amount of material stored outdoors.

#### **RECORD KEEPING AND REPORTING**

##### **5.18 Track Waste Generation**

Characterize waste streams and maintain accurate information on waste streams using:

- |                                       |                                       |
|---------------------------------------|---------------------------------------|
| - Manifests,                          | - SARA Title III reports,             |
| - Bills of lading,                    | - Emission reports,                   |
| - Biennial reports,                   | - Data on chemical spills,            |
| - Permits,                            | - Inventory reports,                  |
| - Environmental audits,               | - Emissions data, and                 |
| - NPDES discharge monitoring reports, | - Material Safety Data Sheets (MSDS). |



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## BMP 7.0

### Building and Grounds Maintenance

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#### ► PURPOSE:

Prevent or reduce the discharge of pollutants to storm water from building and grounds maintenance by washing and cleaning up with as little water as possible, preventing and cleaning up spills immediately, keeping debris from entering storm drains, and maintaining the storm water collection system.

#### ► APPROACH TO EXISTING FACILITY ACTIVITIES:

##### GOOD HOUSEKEEPING

#### 7.01 Disposal of Landscaping and Grounds Maintenance Waste

- Properly dispose of landscape waste, washwater, sweepings, and sediments.

#### 7.02 Fire Fighting Foam Deluge System Testing Procedures

- Perform fire fighting foam testing operations only in designated areas deemed appropriate for such activities. Properly dispose of, or recycle, foam discharge.

#### 7.03 Cleaning Interior Floors and Exterior Ground Surfaces

- Maintain clean, dry floors and exterior surfaces by methods other than hosing and washing (i.e., using brooms, shovels, vacuum cleaners, etc.).
- Do not hose down work areas to the storm drainage system or use concrete cleaning products unless the storm drain inlet is blocked and wash water is collected and properly disposed of through a permitted sewer connection.
- Use seals or door skirts to prevent material exposure to rainfall.

##### PREVENTATIVE MAINTENANCE

#### 7.04 Grounds/Landscaping Design Considerations

- Consider the following design characteristics for grounds/landscaping design:
  - Incorporate areas of landscape into project design. (Landscape areas are pervious and will result in less runoff discharge from a site.)
  - Incorporate design considerations such as leaving or planting native vegetation to reduce irrigation, fertilizer, and pesticide needs.
  - Select landscaping plants that require little maintenance and/or pest control.

Incorporate storm water detention/retention to reduce peak runoff flows and for water quality control.

#### 7.05 Maintain Storm Water Control Devices and Outfalls

- Maintenance includes the following:
  - Regularly inspect and patch or repair storm water control devices (i.e., berms, etc.) to keep them in working order.
  - Place devices such as hay bales or filter fabric over storm drain culverts or at other areas to capture debris generated during construction and other activities.

#### ► TARGETED ACTIVITIES:

- Building Maintenance
- Grounds Maintenance

#### ► TARGETED POLLUTANTS:

- Fuels, Oils, Grease
- Pesticides, Herbicides, Fertilizers
- Sediment
- Landscape Waste

#### ► KEY APPROACHES:

- Keep paved surfaces cleaned and swept using dry method
- Use nature/low maintenance landscaping
- Install and maintain oil/water separators
- Maintain Structural BMPs
- Clean catch basins regularly
- Manage use of pesticides, herbicides, fertilizers



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## **BMP 7.0**

### ***Building and Grounds Maintenance***

---

#### **7.06 Maintain Catch Basins**

- Regularly clean any catch basins which receive runoff from a maintenance area, especially after larger storms.
- Install and maintain catch basin filter inserts that assist in the removal of oil and grease, sediments and floatables.

#### **7.07 Fire Deluge System Design Considerations**

- Design deluge (foam) testing system with the following characteristics:
  - Located away from storm drain inlets, drainage facilities or water bodies.
  - Discharge foam waste to a sanitary sewer (industrial wastewater permitting may be required). Foam waste shall not be discharged to storm drains or water bodies.
  - Paved with concrete or asphalt, or stabilized with an aggregate base.
  - Bermed to contain foam and to prevent run-on.
  - Configure discharge area with a sump to allow collection and disposal of foam.

#### **7.08 Install Oil/Water Separators**

- Either collect storm water in areas exposed to pollutants or install an appropriately-sized oil/water separator (regulatory agency approval maybe required).
- Oil/water separators are typically used in areas where the concentrations of petroleum hydrocarbons, floatables, or sediment may be abnormally high and source control techniques are not very effective.
- There are two types of oil/water separators:
  - American Petroleum Institute (API) separator and
  - Coalescing plate separator (CPS).
- Design, sizing, and placement of oil/water separators is dependent on several factors including: tributary area, type of activity, pollutant type and concentration, and water temperature. Separators should be selected, sized and designed by a qualified engineer.

#### **7.09 Maintain Sumps and Oil/Water Separators**

- Regularly clean and maintain sump and oil/water separators. Characterize and properly dispose of cleaning waste.
- Replace oil absorbent pads as needed and always prior to the rainy season(s).
- Keep effluent shutoff valve closed during cleaning operations. Follow maintenance schedule and procedures for these activities.

#### **7.10 Label Storm Drains**

- Label storm drain inlets that they are to receive no wastes.

#### **7.11 Minimize Pesticide, Herbicide, and Fertilizer Use**

- Minimize use of pesticides, herbicides, and fertilizers. Use according to directions. Utilize integrated pest management.

#### **[ROUTINE FACILITY INSPECTIONS](#)**

#### **7.12 Sump and oil/water separator inspection**

- Regularly inspect sumps and oil/water separators to identify when preventative maintenance is needed.



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## **BMP 7.0**

### ***Building and Grounds Maintenance***

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#### **7.13 Inspect fire fighting foam deluge system**

- Regularly inspect, clean, and maintain fire fighting foam testing facility and collection sumps.

#### **MANAGEMENT OF STORM WATER RUNOFF**

#### **7.14 Erosion control**

- Provide landscaped areas where erosion is becoming a problem.

**NOTE:** See BMP 1.0 for measures generally applicable to Exposure Minimization, Spill Prevention and Response, Training, and Record keeping and Reporting.

#### **► APPROACH TO FUTURE FACILITIES AND UPGRADES:**

#### **DESIGN OF NEW FACILITIES AND EXISTING FACILITY UPGRADES**

- Incorporate areas of landscape into project design. Landscape areas are pervious and will result in less runoff discharge from a site.
- Incorporate design considerations such as leaving or planting native vegetation to reduce irrigation, fertilizer, and pesticide needs.
- Select landscaping plants which require little maintenance and/or pest control.
- Incorporate storm water detention/retention to reduce peak runoff flows and for water quality control.



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## BMP 8.0

### Structural Storm Water Controls

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#### ► PURPOSE:

Select, implement, and maintain structural storm water controls to manage the volume and/or quality of storm water leaving the property. Storm water volume controls should be installed to manage storm water volume by delaying, diverting, or reducing the amount of storm water runoff from the site. Storm water quality controls should be installed to prevent pollutants from contacting storm water or remove pollutants from storm water.

#### ► EXISTING STORM WATER CONTROLS:

#### PREVENTATIVE MAINTENANCE

##### 8.01 Routine Maintenance

- Perform regular cleaning of storm water control structures to ensure they are free and clear of debris and garbage.
- Remove accumulated sediment from control structures to prevent clogging of inlets and outlets. Accumulated sediment should be disposed of properly as pollutants are often attached to sediment particles.
- Clean storm drain covers and grates to remove accumulated debris. Check drain covers/grates for structural integrity.
- Replace adsorbent material within storm drain inserts, straw rolls, adsorbent booms, or other disposable media on a regular frequency to prevent accumulated storm water pollutants from being released.
- Maintain vegetation within drainage swales, ponds, and other structures.

#### ROUTINE FACILITY INSPECTIONS

##### 8.02 Inspections

- Perform inspections of storm water control structures on a quarterly basis at minimum and after precipitation events.
- Inspections should cover:
  - Overall condition of the structure
  - Accumulation of sediment, vegetation, debris, and garbage at structure inlets, outlets, and within drainage ways
  - Integrity of the structure including damaged concrete or riprap
  - Evaluate erosion at and surrounding the control structure

#### SPILL PREVENTION AND RESPONSE

##### 8.03 Protect Structural Controls from Spills

- Develop spill response plans to protect storm drains, storm water conveyance structures, and other structural controls from coming into contact with storm water pollutants.

#### ► TARGETED ACTIVITIES:

- All activities

#### ► TARGETED POLLUTANTS:

- Sediment
- Nutrients
- Trash
- Metals
- Bacteria
- Oil and Grease
- Organics
- Oxygen Demanding

#### ► KEY APPROACHES:

- Perform routine maintenance and inspections of structural storm water controls
- Install new storm water controls to protect storm water quality from existing or new activities



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## BMP 8.0

### Structural Storm Water Controls

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- Provide secondary containment, curbing, berms, or other physical means of separating chemicals and other potential storm water pollutants from storm water drainage and collection devices.

#### ► SELECTION OF NEW STORM WATER CONTROLS:

#### STORM WATER VOLUME CONTROLS

##### 8.04 Storm Water Volume Controls

- Determine volume of site storm water runoff or runoff using the appropriate hydraulic analysis. Review potential storm water controls to ascertain whether the hydraulic conveyance threshold has been exceeded based on the quantitative results of the hydraulic analysis.
- Perform site assessment for the potential to incorporate low impact development strategies that will be effective in retaining storm water on site. Preference should be given to controls which retain storm water runoff and reduce the volume of storm water discharge to the downstream system.
- Select and evaluate the appropriate infiltration, harvest and use, or bioretention storm water controls:
  - Infiltration storm water controls: Infiltration trench, infiltration basin, bioretention basin with no underdrain, drywell, permeable pavement, and underground infiltration.
  - Harvest and use storm water controls: Cisterns and underground detention
  - Biotreatment storm water controls: Bioretention with underdrain, vegetated swale, vegetated filter strip, dry extended detention basin, wet detention basin, constructed wetland, and proprietary biotreatment.
- If possible use a treatment train of storm water controls to reduce uncertainty of effectiveness. Treatment train refers to the application of a series of storm water controls to improve effectiveness of the system.
- Install and locate storm water controls on site where most effective treatment is achieved.

#### STORM WATER QUALITY CONTROLS

- Select and evaluate the appropriate storm water control or combination of controls (treatment train) to improve storm water quality.
- Conduct a qualitative evaluation of site activities and potential pollutants generated on-site. In addition identify any pollutants causing impairment to receiving bodies of water that site storm water discharges to. Select storm water controls to minimize and reduce identified pollutants.
- Review removal efficiency of selected storm water control at one of the following URLs.
  - <http://www.bmpdatabase.org/>
  - <http://water.epa.gov/polwaste/npdes/swbmp/>
- Install and locate storm water controls on site where most effective treatment is achieved.



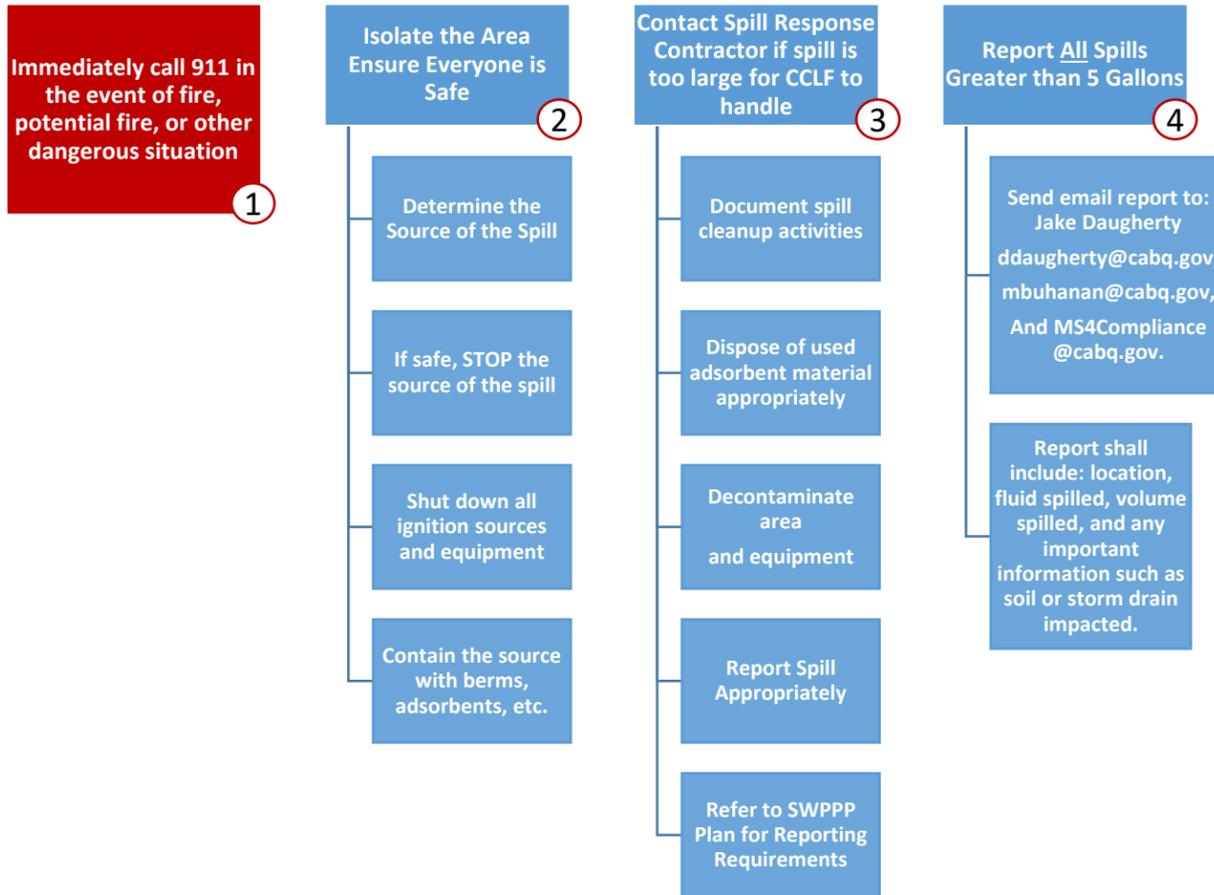


City of Albuquerque Solid Waste Management Department

# Spill Response Plan

for the Pino Yards Complex – Clean City Division

Primary Facility Emergency Contact	Mark Sandoval	505-313-1486
Secondary Emergency Contact	Sounthone Sanouvong	505-917-2985
Fire/Ambulance/Police	<b>Emergency</b> Non-Emergency	<b>911</b> 505-242-2677
Hospital	Presbyterian	505-841-1234



**LEGEND**

- SPILL RESPONSE MATERIALS
- SURFACE WATER FLOW DIRECTION
- STORM DRAIN TRENCH DRAIN
- FACILITY BOUNDARY
- VEHICLE AND EQUIPMENT STORAGE
- SANITARY SEWER & MANHOLE
- STORM DRAIN & MANHOLE
- 0.65 ACRES SIZE OF PROPERTY IN ACRES

**NOTES:**

- STORM WATER APPEARS TO DISCHARGE FROM THE WEST SIDE OF THE PROPERTY. STORM WATER IS THEN CONVEYED VIA GUTTER TO THE PINO YARDS STORM WATER DETENTION BASIN.

**MATERIAL HANDLING**

- ① FUELS/OIL
- ② DEGREASING
- ③ SALT STORAGE
- ④ PAINTING/STRIPPING
- ⑤ HERBICIDE/PESTICIDE STORAGE
- ⑥ WASTE HANDLING & DISPOSAL
- ⑦ METALS STORAGE

N.T.S.

UPDATED BY:



MAY 2021



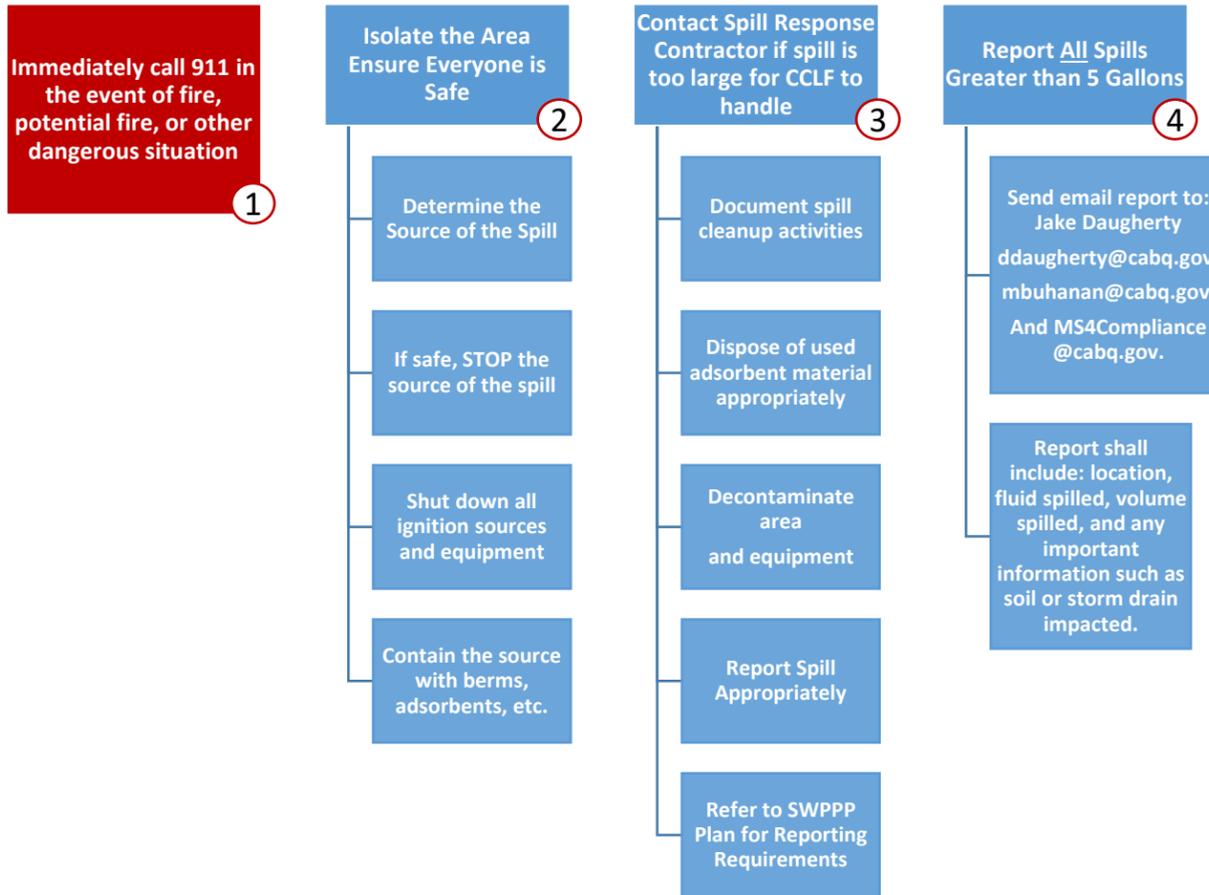


City of Albuquerque Solid Waste Management Department

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**LEGEND**

- SPILL RESPONSE MATERIALS
- SURFACE WATER FLOW DIRECTION
- STORM DRAIN TRENCH DRAIN
- FACILITY BOUNDARY
- VEHICLE AND EQUIPMENT STORAGE
- VEHICLE AND EQUIPMENT MAINTENANCE
- SANITARY SEWER & MANHOLE
- STORM DRAIN & MANHOLE
- 0.51 ACRES SIZE OF PROPERTY IN ACRES

**NOTES:**

- STORM WATER APPEARS TO DISCHARGE FROM THE WEST SIDE OF THE PROPERTY. STORM WATER IS THEN CONVEYED VIA GUTTER TO THE PINO YARDS STORM WATER DETENTION BASIN.

**MATERIAL HANDLING**

- ① FUELS/OIL
- ② DEGREASING
- ③ SALT STORAGE
- ④ PAINTING/STRIPPING
- ⑤ HERBICIDE/PESTICIDE STORAGE
- ⑥ WASTE HANDLING & DISPOSAL
- ⑦ METALS STORAGE

N.T.S.

UPDATED BY:



MAY 2021



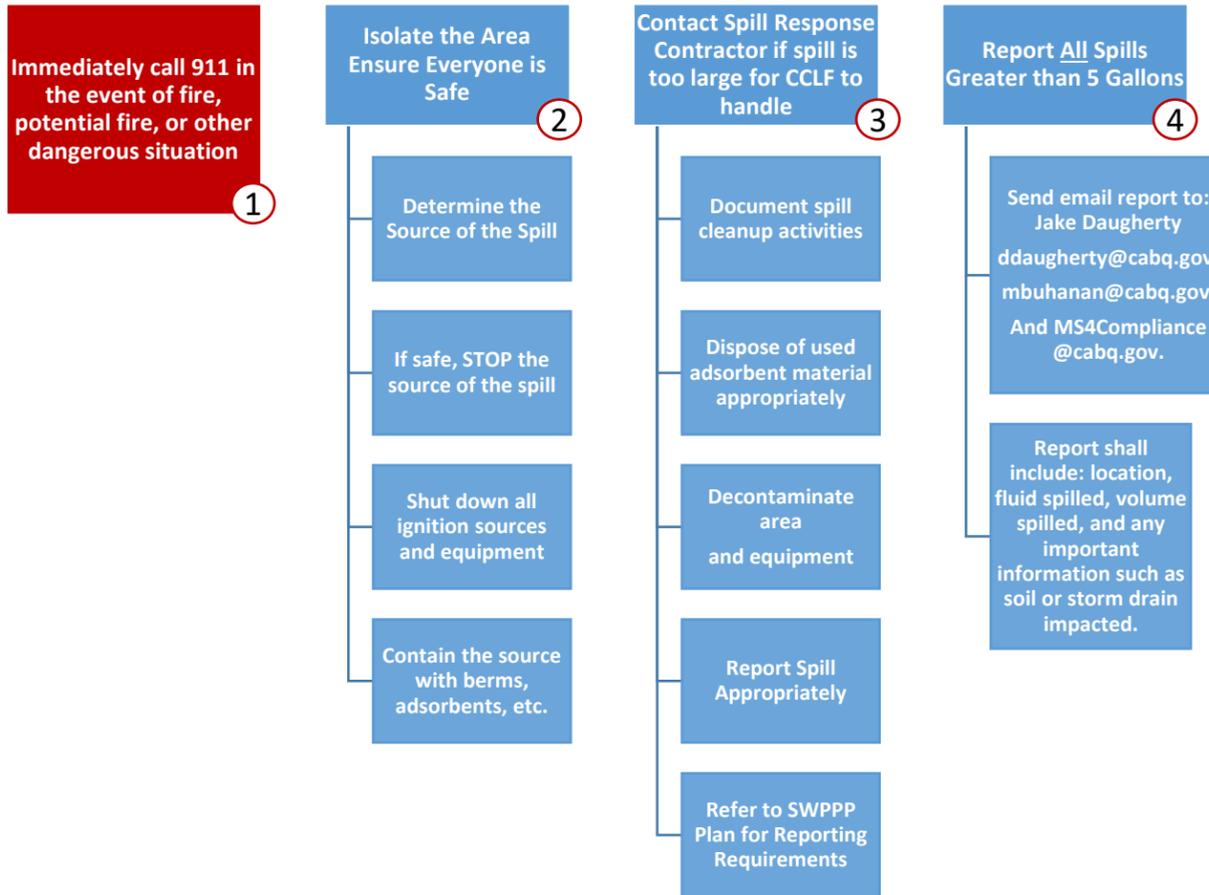


City of Albuquerque Solid Waste Management Department

# Spill Response Plan

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Hospital	Presbyterian	505-841-1234



**LEGEND**

- S** SPILL RESPONSE MATERIALS
- SURFACE WATER FLOW DIRECTION
- STORM DRAIN TRENCH DRAIN
- FACILITY BOUNDARY
- VEHICLE AND EQUIPMENT STORAGE
- SIZE OF PROPERTY IN ACRES

**NOTES:**

- STORM WATER APPEARS TO DISCHARGE FROM THE WEST SIDE OF THE PROPERTY. STORM WATER IS THEN CONVEYED VIA SHEET FLOW TO THE PINO YARDS STORM WATER DETENTION BASIN.
- WATTLES ARE PRESENT ALONG WESTERN SIDE OF LOT 3. STORM WATER CONTROLS ARE MAINTAINED BY CLEAN CITIES DIVISION.

**MATERIAL HANDLING**

- ① FUELS/OIL
- ② DEGREASING
- ③ SALT STORAGE
- ④ PAINTING/STRIPPING
- ⑤ HERBICIDE/PESTICIDE STORAGE
- ⑥ WASTE HANDLING & DISPOSAL
- ⑦ METALS STORAGE

**N.T.S.**

UPDATED BY:



MAY 2021



**APPENDIX F**  
**TRAINING RECORDS**

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**APPENDIX G  
ENDANGERED AND THREANED SPECIES SCREENING MEMORANDUM**

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Weston Solutions, Inc.  
3840 Commons Ave. NE  
Albuquerque, NM 87109  
(505) 837-6520  
WestonSolutions.com



May 6, 2021

To: Jake Daugherty and Michael Buchanan, Environmental Compliance Coordinators  
City of Albuquerque (COA) Solid Waste Management Department (SWMD)

Re: SWMD here in the COA Pino Yards Complex – Clean City Division Documentation of Eligibility with respect to Endangered Species for Coverage under the Multi-Sector General Permit (MSGP 2021) for Stormwater Discharges Associated with Industrial Activities

Dear Jake and Michael,

This eligibility determination is in support of the COA SWMD Notices of Intent (NOI) for coverage of the Pino Yards Complex – Clean City Division (PYCC) under the MSGP 2021 for Stormwater Discharges Associated with Industrial activity. As part of the Stormwater Pollution Prevention Plan (SWPPP) development for the PYCC, a review of the threatened and endangered species was performed with consideration to coverage previously held under the MSGP 2015. The purpose of this review is to verify if there are any species that have been placed on the U.S. Fish and Wildlife Service's (FWS) threatened or endangered species list for the Action Area.

Using the methodology outlined in Appendix E of MSGP 2021, the PYCC has been determined eligible for coverage under **Criterion C1** related to endangered species protection. The facility was eligible for Criterion C under coverage of the MSGP 2015, and has no change to the species listed, critical habitat or the facility's action area. Supporting documentation in relation to the endangered species data collected and the assessment of the potential effects of the PYCC discharges referenced for coverage under the MSGP 2015 follow this letter.

It is essential that the Environmental Compliance Coordinators be up to date on the threatened and endangered species in the event that a discharge from the facility occurs that may affect these species. This information should be conveyed to all PYCC staff. Determination steps taken are described below:

**Step 1: Determine if Eligibility Requirements of Criterion B, D or E can be met.**

The listed Eligibility Requirements for B, D or E do not apply to the PYCC. Their activities are not covered under the eligibility certification of another operator for the action area (Criterion B). The PYCC is not eligible under Criterion D as the facility has not previously completed an Endangered Species Act (ESA) section 7 consultation. Additionally, the facility does not have a previously issued ESA section 10 permit (Criterion E).

**Step 2: Determine the Extent of the Action Area**

With the consultation of the MSGP 2015's supporting documentation and the guidance established in Appendix E of the MSGP 2021, it was determined that the Action Area for the PYCC has not changed from the previous designation under coverage of the MSGP 2015.

**Step 3: Determine if Listed Threatened and/or Endangered Species and Critical Habitats are Present in the Action Area**

Through the consultation of the FWS online mapping tool, *Information, Planning and Consultation System IPaC* (<https://ecos.fws.gov/ipac/>), it was confirmed that the listed threatened and endangered species and critical habitats present within the PYCC Action Area has not changed since it's previous designation within the



Jake Daugherty and Michael Buchanan  
COA SWMD

- 2 -

May 6, 2021

coverage of the MSGP 2015. A full reference of the consultation from FWS conducted for the Action Area is attached.

**Step 4: Determine if PYCC's Discharge or Discharge-Related Activities are likely to Adversely Affect the Listed Threatened and/or Endangered Species or Designated Critical Habitat and Any Measures That Must be Implemented to Avoid Adverse Effects**

The PYCC's industrial activity is consistent with the criterion determination under the coverage of the MSGP 2015, and thus, it was determined that direct impact to habitats and species are unlikely for the identified threatened and endangered species and designated critical habitats. Refer to the IPaC consultation supporting documentation to confirm that the information used for coverage in the MSGP 2015 are still current.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shannon Archuleta".

Shannon Archuleta  
Environmental Scientist  
Weston Solutions, Inc.

Attachments

cc: Criterion C Designation Form and Information from MSGP 2015 for Stormwater Discharge Associated with Industrial Activities

IPaC Consultation and Species List for PYCC, May 6, 2021.

# Criterion C Eligibility Form

## Instructions:

In order to be eligible for coverage under criterion C, you must complete the following form and you must submit it to EPA following the instructions in Section VII a **minimum of 30 days prior to filing your NOI for permit coverage.**  After you submit your form, you may be contacted by EPA with additional measures (e.g., additional stormwater controls or modifications to your discharge-related activities) that you must implement in order to ensure your eligibility under criterion C.

If after completing this worksheet you cannot make a determination that your discharges and discharge-related activities are not likely to adversely affect listed threatened or endangered species or designated critical habitat, you must submit this completed worksheet to EPA, and you may not file your NOI for permit coverage until you receive a determination from EPA that your discharges and/or discharge-related activities are not likely to adversely affect listed species and critical habitat.

**Note:** Much of the information needed for this form can be obtained from your draft SWPPP which will be needed when you file your NOI.

## SECTION I. OPERATOR, FACILITY, AND SITE LOCATION INFORMATION.

### 1) Operator Information

a) **Operator Name:** City of Albuquerque Solid Waste Management Department

b) **Point of Contact**

First Name: Jake Last Name: Daugherty

Phone Number: 505-761-8324

E-mail: ddaugherty@cabq.gov

### 2) Facility Information

a) **Facility Name:** Clean City Division at Pino Yards

b) **Check which of the following applies:**

I am seeking coverage under the MSGP as a new discharger or as a new source

I am seeking coverage under the MSGP as an existing discharger and my facility has modifications to its discharge characteristics (e.g., changes in discharge flow or area drained, different pollutants) and/or discharge-related activities (e.g., stormwater controls)

Indicate the number of years the facility has been in operation: 20 years

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: NMR050000

I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.

Indicate the number of year the facility has been in operation: \_\_\_\_\_ years

Provide your NPDES ID (i.e., permit tracking number) from your previous MSGP coverage: \_\_\_\_\_

c) Facility Address:

Address 1: 5501 Pino Ave NE, Bldg. D

Address 2: \_\_\_\_\_

City: Albuquerque State: NM Zip Code: 87109

d) Identify the primary industrial sector to be covered under the 2015 MSGP:

SIC Code 4212 or Primary Activity Code \_\_\_\_\_

Sector P and Subsector P1

e) Identify the sectors of any co-located activities to be covered under the 201r MSGP:

Sector \_\_\_\_\_ Subsector \_\_\_\_\_

f) Estimated area of industrial activity exposed to stormwater: 1.9 acres

g) Provide a general description of the industrial activities that are taking place at this facility:

The site activities include vehicle and equipment storage, herbicide storage, warehousing, administration, and waste handling and disposal. Minor maintenance is performed on vehicles and maintenance of small equipment such as hand tools, weed trimmers, etc. in the maintenance shop on-site. Graffiti removal chemicals, paint, sprayers, and tools are stored near the administration building.

3) Receiving Waters Information

List all the stormwater outfalls from your facility.				For each outfall, provide the following receiving water information:	
Outfall ID	Design Capacity (if known)	Latitude (decimal degrees)	Longitude (decimal degrees)	Name of the receiving water that receives stormwater from the outfall and/or from the MS4 that the outfall discharges to	Type of Waterbody (e.g., lake, pond, river/stream/creek, estuarine/marine water)
PY1		<u>_ 35 . 17 06</u>	<u>1 0 6 . 5 8 3 0</u>	Rio Grande	River
PY2		<u>_ 35 . 17 07</u>	<u>1 0 6 . 5 8 3 0</u>	Rio Grande	River
PY3		<u>_ 35 . 17 11</u>	<u>1 0 6 . 5 8 2 2</u>	Rio Grande	River
		<u>--- . ---</u>	<u>--- . ---</u>		
		<u>--- . ---</u>	<u>--- . ---</u>		

## SECTION II. ACTION AREA

Ensure that your action area is described in [Attachment 1](#), as required in [Step 2](#).

## SECTION III. LISTED SPECIES AND CRITICAL HABITAT LIST

Ensure that the listed species and critical habitat list is included in [Attachment 2](#), as required in [Step 3](#).

Review your species list in Attachment 2, choose one of the following three statements, and follow the corresponding instructions:

The species list includes only terrestrial species and/or their designated critical habitat. No aquatic or aquatic-dependent species or their critical habitat are present in the action area. **You may skip to [Section IV](#) of this form. You are not required to fill out [Section V](#).**

The species list includes only aquatic and/or aquatic-dependent species and/or their designated critical habitat. No terrestrial species or their critical habitat are present in the action area. **You may skip to [Section V](#) of this form and are not required to fill out [Section IV](#).**

The species list includes both terrestrial and aquatic or aquatic-dependent species and/or their designated critical habitat. **You must fill out both [Sections IV](#) and [V](#) of this form.**

**Note:** For the purposes of this permit, "terrestrial species" would not include animal or plant species that 1) spends any portion of its life cycle in a waterbody or wetland, or 2) if an animal, depends on prey or habitat that occurs in a waterbody or wetland. For example, shorebirds, wading birds, amphibians, and certain reptiles would not be considered terrestrial species under this definition. Please also be aware that some terrestrial animals (e.g., certain insects, amphibians) may have an aquatic egg or larval/juvenile phase.

## SECTION IV. EVALUATION OF DISCHARGE-RELATED ACTIVITIES EFFECTS

*Note: You are only required to fill out this section if your facility's action area contains terrestrial species and/or their designated critical habitat. If your action area only contains aquatic and/or aquatic-dependent species and/or their designated critical habitat, you can skip directly to [Section V](#).*

Most of the potential effects related to coverage under the MSGP are assumed to occur to aquatic and/or aquatic-dependent species. However, in some cases, potential effects to terrestrial species and/or their critical habitat should be considered as well from any discharge-related activities that occur during coverage under the MSGP. Examples of discharge-related activities that could have potential effects on listed terrestrial species or their critical habitat include the storage of materials and land disturbances associated with stormwater management-related activities (e.g., the installation or placement of stormwater control measures).

### A. Select the applicable statement(s) below and follow the corresponding instructions:

There are no discharge-related activities that are planned to occur during my coverage under the MSGP. You can conclude that your discharge-related activities will have no likely adverse effects, and:

- If there are any aquatic or aquatic-dependent species and/or their critical habitat in your action area, you must skip to [Section V, Evaluation of Discharge Effects](#), below.
- If there are no aquatic or aquatic-dependent species you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI form and may submit your NOI for permit coverage 30 days after you have submitted this *Criterion C Eligibility Form*. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s) in your action area**, as well as any other documentation supporting your eligibility. You must also include this completed *Criterion C Eligibility Form* in your SWPPP.

There are discharge-related activities planned as part of the proposal. Describe your discharge-related activities in the following box and continue to (b) below.

*Describe discharge-related activities:*

**B. In order to ensure any discharge-related activities will have no likely adverse effects on listed species and/or their designated critical habitat, you must certify that all the following are true:**

- Discharge-related activities will occur:
- on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species (e.g., work on existing impervious surfaces, work occurring inside buildings, area is not used by species), and
  - if discharge-related activities will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances, these structures and/or disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).

If vegetation removal (e.g., brush clearing) or other similar activities will occur, no terrestrial listed species that use these areas for habitat would be expected to be present during vegetation removal.

**If all the above are true, you can conclude that your discharge-related activities will have no likely adverse effects, and:**

- If there are any aquatic or aquatic-dependent species and/or critical habitat in your action area, you must skip to [Section V](#), *Evaluation of Discharge Effects*, below.
- If there are no aquatic or aquatic-dependent species you may skip to [Section VI](#) and verify that your activities will have no likely adverse effects. You must submit this form to EPA as specified in [Section VII](#) of this form. You may select criterion C on your NOI and may submit your NOI for permit coverage 30 days after you have submitted this completed form. You must also provide a description of the basis for the criterion you selected on your NOI form, **including the species and critical habitat list(s)**, and any other documentation supporting your eligibility. You must also include this completed *Criterion C Eligibility Form* in your SWPPP.
- **If any of the above are not true**, you cannot conclude that your discharge-related activities will have no likely adverse effects. You must complete the rest of this form (if applicable), and must submit the form to EPA for assistance in determining your eligibility for coverage.

## SECTION V. EVALUATION OF DISCHARGE EFFECTS

**Note:** You are only required to fill out this section if your facility's action area includes aquatic and/or aquatic-dependent species and/or their critical habitat.

In this section, you will evaluate the likelihood of adverse effects from your facility's discharges. The scope of effects to consider will vary with each facility and species/critical habitat characteristics. The following are examples of discharge effects you should consider:

- **Hydrological Effects.** Stormwater discharges may adversely affect receiving waters from pollutant parameters such as turbidity, temperature, salinity, or pH. These effects will vary with the amount of stormwater discharged and the volume and condition of the receiving water. Where a stormwater discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.
- **Toxicity of Pollutants.** Pollutants in stormwater may have toxic effects on listed species and may adversely affect critical habitat. Exceedances of benchmarks, effluent limitation guidelines, or state or tribal water quality requirements may be indicative of potential adverse effects on listed species or critical habitat. However, some listed species may be adversely affected at pollutant concentrations below benchmarks, effluent limitation guidelines, and state or tribal water quality standards. In addition, stormwater pollutants identified in Part 5.2.3.2 of your SWPPP, but not monitored as benchmarks or effluent limitation guidelines, may also adversely affect listed species and critical habitat.

As these effects are difficult to analyze for listed species, their prey, habitat, and designated critical habitat, this form helps you to analyze your discharges and make a determination of whether your discharges will have likely adverse effects and whether there are any additional controls you can implement to ensure no likely adverse effects.

**A. Evaluation of Pollutants and Controls to Avoid Adverse Effects.** In this section, you must document all of your pollutant sources and pollutants expected to be discharged in stormwater. You must also document the controls you will implement to avoid adverse effects on listed aquatic and aquatic-dependent species. You must include specific details about the expected effectiveness of the controls in avoiding adverse effects to the listed aquatic-and aquatic-dependent species. Attach additional pages if needed.

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species. Include information supporting why the control(s) will ensure no adverse effects, including any data you have about the effectiveness of the control(s) in reducing pollutant concentrations. You may also attach photos of your controls to this form.
<i>e.g., vehicle and equipment fueling</i>	<i>e.g.,</i> <ul style="list-style-type: none"> <li>• Oil &amp; grease</li> <li>• Diesel</li> <li>• Gasoline</li> <li>• TSS</li> <li>• Antifreeze</li> </ul>	<i>e.g.,</i> <ul style="list-style-type: none"> <li>• Fueling operators (including the transfer of fuel from tank trucks) will be conducted on an impervious or contained pad or under cover</li> <li>• Drip pans will be used where leaks or spills of fuel can occur and where making and breaking hose connections</li> <li>• Spill kit will be kept on-site in close proximity to potential spill areas</li> <li>• Any spills will be cleaned-up immediately using dry clean up methods</li> <li>• Stormwater runoff will be diverted around fueling areas using diversion dikes and curbing</li> </ul>

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species.
Building and Ground Maintenance	Mixed dry herbicide, pesticide, ice melt	Secondary containment is utilized and covered areas are provided for storage. Pallets are used for temporary storage of dry herbicide, pesticide, etc. (to minimize contact with stormwater).
Painting/Stripping	Paint, graffiti removal chemicals	Secondary containment is utilized. Spill kits are stocked and stored where spills are likely to occur.
Vehicle and Equipment Maintenance	Oils, hydraulic fluids, coolant, antifreeze, lubricants, batteries	Regularly scheduled equipment maintenance is performed on paved surfaces or indoors with spill kits stored nearby.
Vehicle and Equipment Storage	Oils, hydraulic fluids	Storage of vehicle and equipment is on paved surfaces and/or away from storm drains. Vehicles and equipment are regularly inspected for leaks.
Equipment Cleaning and Degreasing	Degreasing fluid, oil, washwater, soaps, detergents	Equipment cleaning and degreasing is carried out in designated areas with spill kits stored nearby. Washwater is contained on site with stormwater control structures in place.

Potential Pollutant Source	Potential Pollutants	Controls to Avoid Adverse Effects on Listed Aquatic and Aquatic-Dependent Species.
Vehicle and Equipment Fueling	Unleaded gasoline, diesel	Mobile fueling is carried out on paved surfaces with spill mats and spill kits stored nearby.
Outdoor Handling of Materials	Degreasing fluid, used oil, fuels, antifreeze	Outdoor handling of materials containing fluid are carried out on paved surfaces. Spill kits are stocked and stored where spills are likely to occur.
Outdoor Material Storage	Kerosene, fuels, metal rust, fire extinguishers, paints	Secondary containment is utilized. Spill kits are stocked and stored where spills are likely to occur.
Waste Handling and Disposal	Solid waste, paints, used oils	Solid waste, paints, and used oils are transferred on paved surfaces and properly disposed of. Once full, open top containers are covered with netting and hauled to the landfill.

Check if you are not able to make a preliminary determination that any of your pollutants will be controlled to a level necessary to avoid adverse effects on aquatic and/or aquatic-dependent listed species and their designated critical habitat. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects, and must complete the rest of the form. You must submit your completed form to EPA for assistance in determining your eligibility for coverage.

**B. Analysis of Effects Based on Past Monitoring Data.** Select which of the following applies to your facility:

- I have no previous monitoring data for my facility because there are no applicable monitoring requirements for my facility's sector(s).
- I have no previous monitoring data for my facility because I am a new discharger or a new source, but I am subject to monitoring under the 2015 MSGP. You must provide information to support a conclusion that your facility's discharges are not expected to result in benchmark or numeric effluent limit exceedances that will adversely affect listed species or their critical habitat:
- My facility has not had any exceedances under the 2008 MSGP of any required benchmark(s) or numeric effluent limits.
- My facility has had exceedances of one or more benchmark(s) or numeric effluent limits under the 2008 MSGP, but I have addressed them during my coverage under the 2008 MSGP, or in my evaluation of controls to avoid adverse effects in (A) above. Describe all actions (including specific controls) that you will implement to ensure that the pollutants in your discharge(s) will not result in likely adverse effects from future exceedances.
- Check if your facility has had exceedances of one or more benchmarks or numeric effluent limits under the 2008 MSGP and you have not been able to address them to avoid adverse effects from future exceedances, or if you are a new discharger or a new source but you are not sure if you can avoid adverse effects from possible exceedances. You must check in [Section VI](#) that you are unable to make a determination of no likely adverse effects. You must submit your completed form to EPA for assistance in determining your eligibility for coverage. You may not file your NOI for permit coverage until you are able to make a determination that your discharges will avoid adverse effects on listed species and designated critical habitat.

## SECTION VI VERIFICATION OF PRELIMINARY EFFECTS DETERMINATION

Based on Steps I – V of this form, you must verify your preliminary determination of effects on listed species and designated critical habitat from your discharges and/or discharge-related activities :

- Following the applicable Steps in I – V above, I have made a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.
- Following the applicable Steps in I – V above, I am **not** able to make a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.

### 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.



## Attachment 1

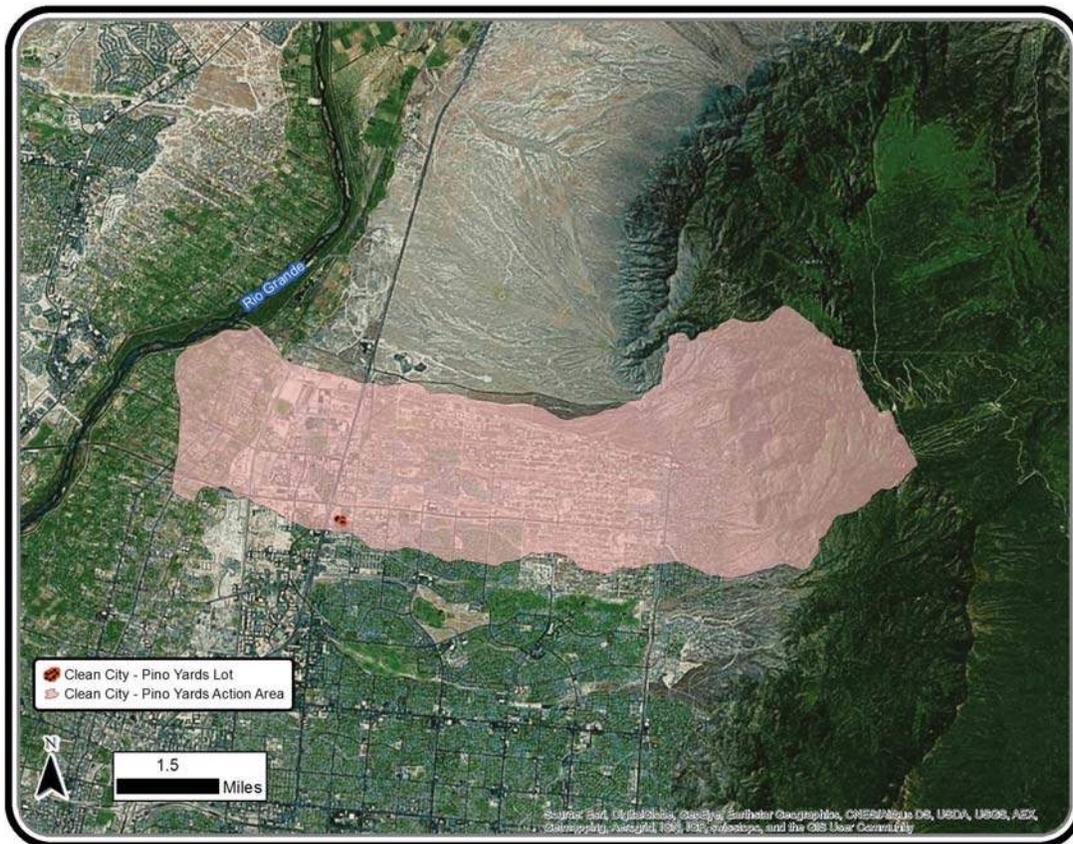
Include a map **and a written description** of the action area of your facility, as required in [Step 2](#). You may choose to include the map that is generated from the FWS' on-line mapping tool IPaC (the *Information, Planning, and Consultation System*) located at <http://ecos.fws.gov/ipac/>.

The written description of your action area that accompanies your action area map must explain your rationale for the extent of the action area drawn on your map. For example, your action area written description may look something like this:

*The action area for the (name of your facility)'s stormwater discharges extends downstream from the outfall(s) in (name of receiving waterbody) (# of meters/feet/kilometers/miles). The downstream limit of the action area reflects the approximate distance at which the discharge waters and any pollutants would be expected to cause potential adverse effects to listed species and/or critical habitat because (insert rationale). The action area does/does not extend to the (name of receiving waterbody)'s confluence with (name of confluence waterbody) because (insert rationale).*

Note that you action area written description will be highly site-specific, depending on the expected effects of your facility's discharges and discharge-related activities, receiving waterbody characteristics, etc.

The Action Area was delineated using the subwatershed [12-digit hydrologic unit code (HUC)] that contains the facility properties, arroyos and channels (South Domingo Baca Channel) that receive and convey stormwater discharges from the property to the Rio Grande (ultimate receiving water). As such the Action Area was based on the Arroyo de Domingo (HUC 130202030305) subwatershed.



## Attachment 2

List or attach the listed species and critical habitat in your action area on this sheet, as required in [Step 3](#). You must include a list for applicable listed NMFS and FWS species and critical habitat. If there are listed species and/or critical habitat for only one Service, you must include a statement confirming there are no listed species and/or critical habitat for the other Service. For FWS species, include the full printout from your IPaC query. *Note: If your Official Species List from the USFWS indicated no species or critical habitat were present in your action area, include the full consultation tracking code at the top of your Official Species List in your NOI submittal in the question "Provide a brief summary of the basis for the criterion selected in Appendix E." If an Official Species List was not available on IPaC, list the contact date and name of the Service staff with whom you corresponded to identify the existence of any USFWS species or critical habitat present in your action area.*

See attached listed species and critical habitat generated utilizing the FWS IPaC query tool.





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New Mexico Ecological Services Field Office  
2105 OSUNA ROAD NE  
ALBUQUERQUE, NM 87113  
PHONE: (505)346-2525 FAX: (505)346-2542  
URL: [www.fws.gov/southwest/es/NewMexico/](http://www.fws.gov/southwest/es/NewMexico/);  
[www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

Consultation Code: 02ENNM00-2016-SLI-0529  
Event Code: 02ENNM00-2016-E-00556  
Project Name: Clean City- Pino Yards SWPPP

May 11, 2016

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act (MBTA) as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act (BGEPA) as amended (16 USC 668-668c). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area and to recommend some conservation measures that can be included in your project design.

### **FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT**

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

If you determine that your proposed action may affect federally-listed species, consultation with the Service will be necessary. Through the consultation process, we will analyze information

contained in a biological assessment that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/endangered/esa-library/index.html#consultations](http://www.fws.gov/endangered/esa-library/index.html#consultations).

The scope of federally listed species compliance not only includes direct effects, but also any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect or cumulative effects that may occur in the action area. The action area includes all areas to be affected, not merely the immediate area involved in the action. Large projects may have effects outside the immediate area to species not listed here that should be addressed. If your action area has suitable habitat for any of the attached species, we recommend that species-specific surveys be conducted during the flowering season for plants and at the appropriate time for wildlife to evaluate any possible project-related impacts.

### **Candidate Species and Other Sensitive Species**

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico state agencies. These lists, along with species information, can be found at the following websites:

Biota Information System of New Mexico (BISON-M): [www.bison-m.org](http://www.bison-m.org)

New Mexico State Forestry. The New Mexico Endangered Plant Program: [www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html](http://www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html)

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: [nmrareplants.unm.edu](http://nmrareplants.unm.edu)

Natural Heritage New Mexico, online species database: [nhnm.unm.edu](http://nhnm.unm.edu)

### **WETLANDS AND FLOODPLAINS**

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html) integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

## **MIGRATORY BIRDS**

The MBTA prohibits the taking of migratory birds, nests, and eggs, except as permitted by the Service's Migratory Bird Office. To minimize the likelihood of adverse impacts to migratory birds, we recommend construction activities occur outside the general bird nesting season from March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until the young have fledged.

We recommend review of Birds of Conservation Concern at website [www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html) to fully evaluate the effects to the birds at your site. This list identifies birds that are potentially threatened by disturbance and construction.

## **BALD AND GOLDEN EAGLES**

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the ESA on August 9, 2007. Both the bald eagle and golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For information on bald and golden eagle management guidelines, we recommend you review information provided at [www.fws.gov/midwest/eagle/guidelines/bgepa.html](http://www.fws.gov/midwest/eagle/guidelines/bgepa.html).

On our web site [www.fws.gov/southwest/es/NewMexico/SBC\\_intro.cfm](http://www.fws.gov/southwest/es/NewMexico/SBC_intro.cfm), we have included conservation measures that can minimize impacts to federally listed and other sensitive species. These include measures for communication towers, power line safety for raptors, road and highway improvements, spring developments and livestock watering facilities, wastewater facilities, and trenching operations.

We also suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State fish, wildlife, and plants.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area. For further consultation on your proposed activity, please call 505-346-2525 or email [nmesfo@fws.gov](mailto:nmesfo@fws.gov) and reference your Service Consultation Tracking Number.

Attachment





United States Department of Interior  
Fish and Wildlife Service

Project name: Clean City- Pino Yards SWPPP

## Official Species List

### Provided by:

New Mexico Ecological Services Field Office

2105 OSUNA ROAD NE

ALBUQUERQUE, NM 87113

(505) 346-2525

<http://www.fws.gov/southwest/es/NewMexico/>

[http://www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

**Consultation Code:** 02ENNM00-2016-SLI-0529

**Event Code:** 02ENNM00-2016-E-00556

**Project Type:** WATER QUALITY MODIFICATION

**Project Name:** Clean City- Pino Yards SWPPP

**Project Description:** Clean City- Pino Yards SWPPP eligibility determination related to endangered species.

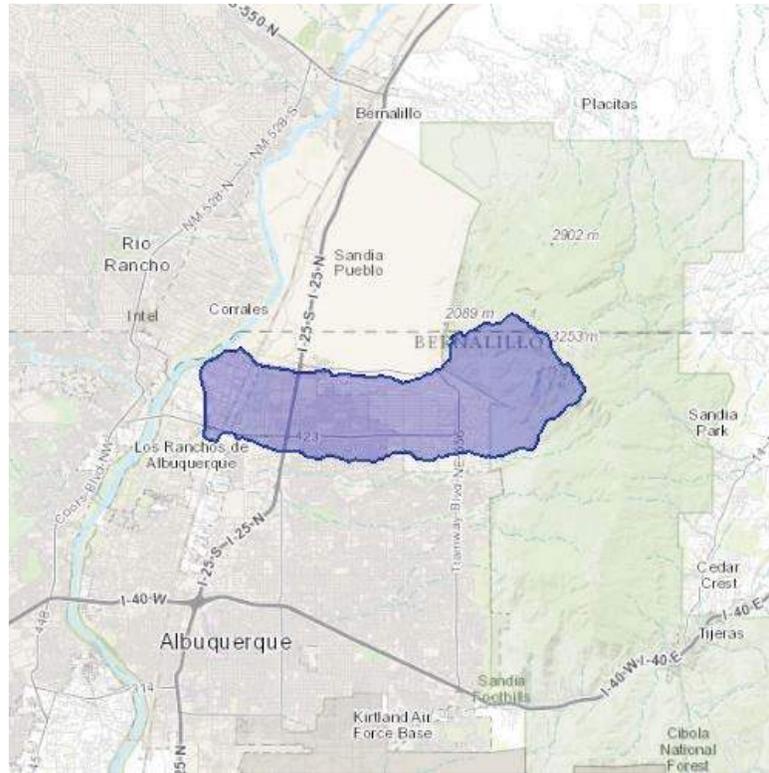
**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Clean City- Pino Yards SWPPP

### Project Location Map:



**Project Coordinates:** The coordinates are too numerous to display here.

**Project Counties:** Bernalillo, NM | Sandoval, NM



United States Department of Interior  
Fish and Wildlife Service

Project name: Clean City- Pino Yards SWPPP

## Endangered Species Act Species List

There are a total of 6 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	Status	Has Critical Habitat	Condition(s)
Jemez Mountains salamander ( <i>Plethodon neomexicanus</i> )	Endangered	Final designated	
<b>Birds</b>			
Mexican Spotted owl ( <i>Strix occidentalis lucida</i> ) Population: Entire	Threatened	Final designated	
Southwestern Willow flycatcher ( <i>Empidonax traillii extimus</i> ) Population: Entire	Endangered	Final designated	
Yellow-Billed Cuckoo ( <i>Coccyzus americanus</i> ) Population: Western U.S. DPS	Threatened	Proposed	
<b>Fishes</b>			
Rio Grande silvery minnow ( <i>Hybognathus amarus</i> ) Population: Entire, except where listed as an experimental population	Endangered	Final designated	
<b>Mammals</b>			



United States Department of Interior  
Fish and Wildlife Service

Project name: Clean City- Pino Yards SWPPP

New Mexico meadow jumping mouse ( <i>Zapus hudsonius luteus</i> )	Endangered	Proposed	
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United States Department of Interior  
Fish and Wildlife Service

Project name: Clean City- Pino Yards SWPPP

## Critical habitats that lie within your project area

The following critical habitats lie fully or partially within your project area.

Birds	Critical Habitat Type
Mexican Spotted owl ( <i>Strix occidentalis lucida</i> ) Population: Entire	Final designated
Yellow-Billed Cuckoo ( <i>Coccyzus americanus</i> ) Population: Western U.S. DPS	Proposed
Fishes	
Rio Grande silvery minnow ( <i>Hybognathus amarus</i> ) Population: Entire, except where listed as an experimental population	Final designated





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New Mexico Ecological Services Field Office  
2105 Osuna Road Ne  
Albuquerque, NM 87113-1001  
Phone: (505) 346-2525 Fax: (505) 346-2542  
<http://www.fws.gov/southwest/es/NewMexico/>  
[http://www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

In Reply Refer To:

May 06, 2021

Consultation Code: 02ENNM00-2021-SLI-0948

Event Code: 02ENNM00-2021-E-02252

Project Name: 2021 MSGP SWPPP - Pino Yards Complex Facility

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act (MBTA) as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act (BGEPA) as amended (16 USC 668-668c). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area and to recommend some conservation measures that can be included in your project design.

### **FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT**

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

If you determine that your proposed action may affect federally-listed species, consultation with the Service will be necessary. Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with

Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/endangered/esa-library/index.html#consultations](http://www.fws.gov/endangered/esa-library/index.html#consultations).

The scope of federally listed species compliance not only includes direct effects, but also any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect or cumulative effects that may occur in the action area. The action area includes all areas to be affected, not merely the immediate area involved in the action. Large projects may have effects outside the immediate area to species not listed here that should be addressed. If your action area has suitable habitat for any of the attached species, we recommend that species-specific surveys be conducted during the flowering season for plants and at the appropriate time for wildlife to evaluate any possible project-related impacts.

### **Candidate Species and Other Sensitive Species**

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico state agencies. These lists, along with species information, can be found at the following websites:

Biota Information System of New Mexico (BISON-M): [www.bison-m.org](http://www.bison-m.org)

New Mexico State Forestry. The New Mexico Endangered Plant Program:  
[www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html](http://www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html)

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: [nmrareplants.unm.edu](http://nmrareplants.unm.edu)

Natural Heritage New Mexico, online species database: [nhnm.unm.edu](http://nhnm.unm.edu)

### **WETLANDS AND FLOODPLAINS**

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

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We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html) integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

### **MIGRATORY BIRDS**

The MBTA prohibits the taking of migratory birds, nests, and eggs, except as permitted by the Service's Migratory Bird Office. To minimize the likelihood of adverse impacts to migratory birds, we recommend construction activities occur outside the general bird nesting season from March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until the young have fledged.

We recommend review of Birds of Conservation Concern at website [www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html) to fully evaluate the effects to the birds at your site. This list identifies birds that are potentially threatened by disturbance and construction.

### **BALD AND GOLDEN EAGLES**

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the ESA on August 9, 2007. Both the bald eagle and golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For information on bald and golden eagle management guidelines, we recommend you review information provided at [www.fws.gov/midwest/eagle/guidelines/bgepa.html](http://www.fws.gov/midwest/eagle/guidelines/bgepa.html).

On our web site [www.fws.gov/southwest/es/NewMexico/SBC\\_intro.cfm](http://www.fws.gov/southwest/es/NewMexico/SBC_intro.cfm), we have included conservation measures that can minimize impacts to federally listed and other sensitive species. These include measures for communication towers, power line safety for raptors, road and highway improvements, spring developments and livestock watering facilities, wastewater facilities, and trenching operations.

We also suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State fish, wildlife, and plants.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area. For further consultation on your proposed activity, please call 505-346-2525 or email [nmesfo@fws.gov](mailto:nmesfo@fws.gov) and reference your Service Consultation Tracking Number.

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Attachment(s):

- Official Species List
  - Migratory Birds
-

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New Mexico Ecological Services Field Office**

2105 Osuna Road Ne

Albuquerque, NM 87113-1001

(505) 346-2525

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## Project Summary

Consultation Code: 02ENNM00-2021-SLI-0948

Event Code: 02ENNM00-2021-E-02252

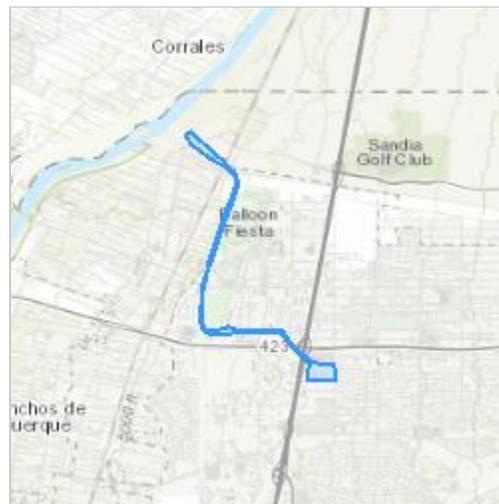
Project Name: 2021 MSGP SWPPP - Pino Yards Complex Facility

Project Type: Guidance

Project Description: 5501 Pino St NE, Albuquerque NM 87109 and flow of discharge off the facility to point of discharge to impaired waters; Documentation of Eligibility with respect to Endangered Species Coverage under the Multi-Sector General Permit (MSGP 2021) for Stormwater Discharges Associated with Industrial Activities.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.1895701,-106.60320302895423,14z>



Counties: Bernalillo County, New Mexico

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## Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

NAME	STATUS
New Mexico Meadow Jumping Mouse <i>Zapus hudsonius luteus</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/7965">https://ecos.fws.gov/ecp/species/7965</a>	Endangered

### Birds

NAME	STATUS
Mexican Spotted Owl <i>Strix occidentalis lucida</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/8196">https://ecos.fws.gov/ecp/species/8196</a>	Threatened
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/6749">https://ecos.fws.gov/ecp/species/6749</a>	Endangered
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/3911">https://ecos.fws.gov/ecp/species/3911</a>	Threatened

## Fishes

NAME	STATUS
Rio Grande Silvery Minnow <i>Hybognathus amarus</i>	Endangered

Population: Wherever found, except where listed as an experimental population

There is **final** critical habitat for this species. The location of the critical habitat is not available.

Species profile: <https://ecos.fws.gov/ecp/species/1391>

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p><a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a></p>	Breeds Dec 1 to Aug 31
<p>Brewer's Sparrow <i>Spizella breweri</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p><a href="https://ecos.fws.gov/ecp/species/9291">https://ecos.fws.gov/ecp/species/9291</a></p>	Breeds May 15 to Aug 10

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NAME	BREEDING SEASON
<b>Burrowing Owl <i>Athene cunicularia</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9737">https://ecos.fws.gov/ecp/species/9737</a>	Breeds Mar 15 to Aug 31
<b>Chestnut-collared Longspur <i>Calcarius ornatus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
<b>Golden Eagle <i>Aquila chrysaetos</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds Jan 1 to Aug 31
<b>Lesser Yellowlegs <i>Tringa flavipes</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
<b>Lewis's Woodpecker <i>Melanerpes lewis</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9408">https://ecos.fws.gov/ecp/species/9408</a>	Breeds Apr 20 to Sep 30
<b>Long-billed Curlew <i>Numenius americanus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/5511">https://ecos.fws.gov/ecp/species/5511</a>	Breeds Apr 1 to Jul 31
<b>Long-eared Owl <i>asio otus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3631">https://ecos.fws.gov/ecp/species/3631</a>	Breeds Mar 1 to Jul 15
<b>Marbled Godwit <i>Limosa fedoa</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9481">https://ecos.fws.gov/ecp/species/9481</a>	Breeds elsewhere
<b>Olive-sided Flycatcher <i>Contopus cooperi</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3914">https://ecos.fws.gov/ecp/species/3914</a>	Breeds May 20 to Aug 31
<b>Pinyon Jay <i>Gymnorhinus cyanocephalus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9420">https://ecos.fws.gov/ecp/species/9420</a>	Breeds Feb 15 to Jul 15

NAME	BREEDING SEASON
<b>Rufous Hummingbird <i>selasphorus rufus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8002">https://ecos.fws.gov/ecp/species/8002</a>	Breeds elsewhere
<b>Virginia's Warbler <i>Vermivora virginiae</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9441">https://ecos.fws.gov/ecp/species/9441</a>	Breeds May 1 to Jul 31
<b>Willet <i>Tringa semipalmata</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
<b>Willow Flycatcher <i>Empidonax traillii</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/3482">https://ecos.fws.gov/ecp/species/3482</a>	Breeds May 20 to Aug 31

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12

(0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .

- The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

**Breeding Season (■)**

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

**Survey Effort (|)**

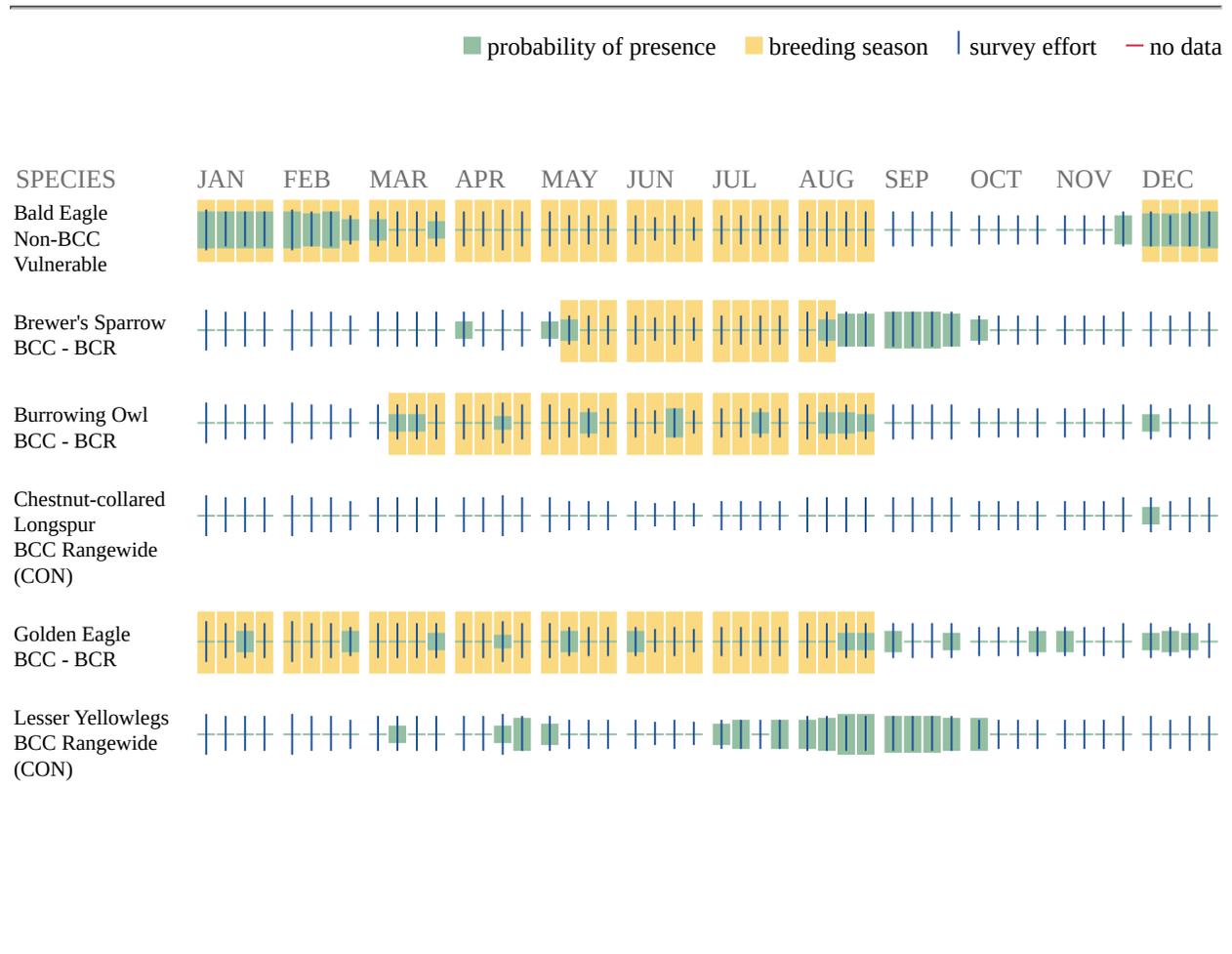
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

**No Data (-)**

A week is marked as having no data if there were no survey events for that week.

**Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### **What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

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Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of

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certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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**APPENDIX H  
HISTORIC PROPERTIES PRESERVATION SCREENING MEMORANDUM**

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Weston Solutions, Inc.  
3840 Commons Ave. NE  
Albuquerque, NM 87109  
(505) 837-6520  
WestonSolutions.com



May 6, 2021

To: Jake Daugherty and Michael Buchanan, Environmental Compliance Coordinators  
City of Albuquerque (COA) Solid Waste Management Department (SWMD)

Re: City of Albuquerque Pino Yards Complex – Clean City Division Storm Water Pollution Prevention Plan  
Eligibility Screening for the National Historic Preservation Act

Dear Jake and Michael,

On behalf of the City of Albuquerque (COA), Weston Solutions Inc. (Weston) presents the results of the determination of eligibility for the SWMD Department's Pino Yards Complex – Clean City Division, regarding the National Historic Preservation Act (NHPA), for coverage under the Multi-Sector General Permit (MSGP 2021) for Storm Water Discharges associated with Industrial Activity.

A search of historic places was conducted using the National Register of Historic Places Database and Research (<https://www.nps.gov/subjects/nationalregister/database-research.htm>) and included all historic properties located in Albuquerque, NM from 1966 to 2012. As a result of this search, there are no historic properties located within the facility or on the adjacent properties, and thus, discharges from the facility do not have the potential to influence any known historic properties. The facility does not have plans to install any new storm water control measure in the area; therefore, the facility meets the eligibility of **Criterion A**.

**Criterion A** is described as follows:

*Your storm water discharges, and allowable non-storm water discharges do not have the potential to have an effect on historic properties and you are not constructing or installing new storm water control measures on your site that cause subsurface disturbance.*

Very truly yours,

Shannon Archuleta  
Environmental Scientist  
Weston Solutions, Inc.



**APPENDIX I**  
**COPY OF THE NOTICE OF INTENT, ACKNOWLEDGEMENT LETTER, AND DELEGATION OF AUTHORITY**  
**LETTER**

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# CITY OF ALBUQUERQUE

Office of the Mayor/Chief Administrative Officer



September 15, 2015

U.S. Environmental Protection Agency, Region 6  
Water Enforcement Branch (6EN-WC)  
1445 Ross Avenue Suite 1200  
Dallas, TX 75202-2733

**Re: Delegation of Signatory Authority for City of Albuquerque, National Pollutant Discharge Detection and Elimination System (NPDES) Permits**

To Whom It May Concern:

As the Chief Administrative Officer (CAO) of the City of Albuquerque (COA), in accordance with Federal Regulations 40 CFR 122.22(b), I hereby delegate the following positions to be Certifying Officials for the purposes of reporting under the COA's federal permits with the U.S. Environmental Protection Agency. These federal permits include: (1) General Permit NMR04A000 for its Municipal Separate Storm Sewer System (MS4); (2) Multi-Sector General Permit (MSGP) NMR05000 for its Transit and Solid Waste Facilities and; (3) Construction General Permit (CGP) for COA public projects.

PO Box 1293

**Chief Administrative Officer**

Albuquerque

- Annual Report for the Municipal Separate Storm Sewer System (MS4) Permit
- Requests for changes to the COA's Storm Water Management Program (SWMP)

New Mexico 87103

**Engineering Division Manager**

www.cabq.gov

- Data Monitoring Reports (DMRs) for the MS4 Permit
- Certification of Storm Water Pollution Prevention Plans (SWPPPs) and Annual Reports for general facilities as needed under the MSGP
- Certification of eNOIs general facilities as needed under the MSGP

**Transit Director**

- Data Monitoring Reports (DMRs) for Transit facilities
- Certification of Storm Water Pollution Prevention Plans (SWPPPs) and Annual Reports under the MSGP for Transit facilities
- Certification of eNOIs under the MSGP for Transit facilities

**Solid Waste Director**

- Data Monitoring Reports (DMRs) for Solid Waste Facilities
- Certification of Storm Water Pollution Prevention Plans (SWPPPs) and Annual Reports under the MSGP for Solid Waste Facilities
- Certification of eNOIs under the MSGP

**Department of Municipal Development (DMD) Construction Management Managers**

- Certification of SWPPPs for DMD and Capital Implementation Program (CIP) projects under the CGP
- Certification of eNOIs for DMD and CIP projects under the CGP

**Parks & Recreation (Parks) Construction Managers, Supervisors, or Superintendents**

- Certification of SWPPPs for CIP and Parks projects under the CGP
- Certification of eNOIs for CIP and Parks projects under the CGP

**DMD and Parks Construction Managers, Supervisors, Superintendents, or Inspectors**

- Construction Site Inspection Forms for DMD, CIP, and Parks projects under the CGP

This letter designates positions of signatory authority rather than naming specific individuals who hold the designated positions. The COA has chosen this method of delegating signatory authority to ensure consistency in meeting permit requirements during staff changes.

I understand the role and responsibilities of the COA as they relate to the MS4 permit and have selected individuals in these positions because of their understanding and knowledge of the permit requirements, including stormwater certification for construction personnel.

Best Regards,



Robert J. Perry  
Chief Administrative Officer

Electronic cc: Wilfred Gallegos, P.E.; Director, DMD  
Melissa Lozoya, P.E.; Deputy Director, DMD  
Bryan Wolfe, P.E., Construction Services Division Manager, DMD  
David Harrison, P.E., Construction Services Section Manager, DMD  
Ron Romero, P.E., Engineering Division Manager, DMD  
Ralph Saiz, Construction Manager, Parks Construction Division, DMD  
Keith Reed, P.E., Deputy Director, Parks  
Bruce Rizzieri, Director, Transit  
John Soladay, Director, Solid Waste  
Jill Holbert, Associate Director, Solid Waste

**APPENDIX J**  
**DOCUMENTATION OF MAINTENANCE TO CONTROL MEASURES**

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**APPENDIX K  
DOCUMENTATION OF CORRECTIVE ACTION TAKEN**

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**APPENDIX L  
SAMPLE AND ANALYSIS PLANS**

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**APPENDIX M**  
**REPORTS**

*M1- Quarterly Routine Facility Inspections*

*M2 – Quarterly Visual Storm Water Assessment*

*M3 – EPA Industrial Storm Water Sampling Guidance*

*M4 – Annual Report Example*

*M5 – Sampling Data Reports*

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**M1 – QUARTERLY ROUTINE FACILITY INSPECTIONS**

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## **M2 – QUARTERLY VISUAL STORM WATER ASSESSMENT**

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**M3 – EPA INDUSTRIAL STORM WATER SAMPLING GUIDANCE**

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**M4 – ANNUAL REPORT EXAMPLE**

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## **M5 – SAMPLE DATA REPORTS**

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