

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	03/11/2022	
Media Program:	Water	
Regulatory Program(s)	NPDES	
Company Name:	Double M Properties	
Facility Name:	Legacy at Sierra Vista	
Facility Physical Location:	0.43-miles West of Jubilee Blvd on New Mexico State Road 6 (SR-6)	
(city, state, zip code)	Los Lunas, New Mexico	
Mailing address:	4400 Alameda Blvd. NE, Suite E	
(city, state, zip code)	Albuquerque, New Mexico 87113	
County/Parish:	Bernalillo	
Facility Phone Number	505-345-2694	
Facility Contact:	Bob Prewitt	Vice President
	prewitt@swcp.com	
FRS Number:	110070569767	
Identification/Permit Number:	NMR1002AG	
Media Identifier Number:	N/A	
NAICS:	237210	
SIC:	6552	
Personnel participating in inspection:		
Carlos Spiess	Sundance Mechanical & Utility Corp.	Construction Manager
Roy Maxey	Sundance Mechanical & Utility Corp.	Project Manager
Levi Dean	New Mexico Environment Department	Industrial and Stormwater Team Supervisor
David Esparza, PE	USEPA-ECDWM	Environmental Engineer
EPA Lead Inspector Signature/Date	DAVID ESPARZA Digitally signed by DAVID ESPARZA Date: 2022.04.19 10:45:03 -06'00'	
	David Esparza	Date
Supervisor Signature/Date	ROBERTO BERNIER Digitally signed by ROBERTO BERNIER Date: 2022.04.19 17:03:17 -05'00'	
	Roberto Bernier	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

United States Environmental Protection Agency (EPA) Region 6 inspector David Esparza, PE, and Levi Dean, New Mexico Environment Department (NMED) – Industrial and Stormwater Team Supervisor, arrived at Legacy at Sierra Vista (Sierra Vista) at approximately 0900 AM on March 11, 2022, for an unannounced inspection. I presented my credentials to Mr. Spiess, Construction Manager and Mr. Maxey, Project Manager both of Sundance Mechanical & Utility Corporation. I informed them that this was an EPA inspection to determine the facility's compliance under the Clean Water Act (CWA) and the requirements of the National Pollutant Discharge Elimination System (NPDES) permit program, in accordance with the CWA. The generation of this report is based on information supplied by Sierra Vista representatives, observations made by the EPA inspector, NMED and records and reports maintained by the permittee (Sierra Vista), and the EPA. Before leaving the facility on March 11, 2022, an exit briefing was held with Mr. Spiess, and Mr. Maxey to explain areas of concern noted at the time of the inspection.

FACILITY DESCRIPTION

The Sierra Vista project site is located West of Jubilee Blvd on New Mexico State Road 6 (SR-6) in Los Lunas, Valencia County, New Mexico (denoted in **Aerial Image 1** below). Coordinates to the project location are in the vicinity of: Latitude 34°49'12.72" North, Longitude 106°48'01.08" West. This location can be further described as approximately 25-miles south of Albuquerque, New Mexico. The proposed subdivision project activities will ultimately be comprised of single-family dwelling units (DUs), apartment buildings and all associated ancillary appurtenances, i.e., curb, gutter, roadways, and utilities.



Aerial Image #1- Overall view of the Legacy at Sierra Vista Development. Aerial from Google Earth (2021).

Section II – OBSERVATIONS

The following points of discussion are derived from review of information provided by Sierra Vista representatives, their consultant, or on-site visual observation. **Note:** the entire Stormwater Pollution Prevention Plan (SWPPP) was reviewed, inclusive of updated versions, inspection reports, product “cut sheets” and site plans/maps.

- Stormwater Pollution Prevention Plan (SWPPP) was originally prepared on June 17, 2019, with respect to 57-acres. The SWPPP was updated on April 3, 2020, to identify 180-acres and updated again on August 26, 2021, to identify 200-acres. Note: the total project acreage is 200-acres.
- The original 57-acre, Notice of Intent (NOI) was filed on July 18, 2019, and became effective on August 1, 2019.
- The updated 180-acre NOI was filed on December 10, 2020, and became effective on December 24, 2020.
- The updated 200-acre NOI was filed on August 26, 2021, and became effective on September 9, 2021. Note: This NOI cites the Beginning of Project date (BOP) as August 19, 2019, and the End of Project date (EOP) as December 31, 2021. An additional updated NOI was filed on March 16, 2022 and became effective on March 30, 2022. This NOI cites the Beginning of Project date (BOP) as August 19, 2019, and the End of Project date (EOP) as December 31, 2022. **Appendix 2**
- The duly recorded “Subdivision Plat of Tracts A thru H Sierra Vista (being a Replat of Tract 6 Lands of Huning Limited Partnership Situate within the San Clemente Grant, in projected Sections 23 and 24, Township 7 North, Range 1 East New Mexico Principal Meridian, Village of Los Lunas Valencia County, New Mexico, dated January 2019, indicates “Said tract contains 257.9090 acres more or less”.
- SWPPP page 28 states “The following are requirements that apply to all stockpiles, regardless of season or material. If elimination is not possible.” “For wind erosion control, apply water or other dust palliatives to stockpiles”. Numerous stockpile locations within the development indicated lacking or limited control of stockpiled materials.
- SWPPP pages 30 and 31 define dust control measures but do not define the quantity of acres disturbed. Additionally, the SWPPP states “Spray-on Chemical Soil Treatments (Palliatives) per limited research, the effectiveness of polymer stabilization methods range from 70 percent to 90 percent. Generally, dust control measures involving application of either water or chemicals require more monitoring than structural or vegetative controls to remain effective. However, on page 37, the SWPPP states that “Chemical treatment is not employed as a BMP on this project”. Additionally, on page 41, the SWPPP states “For areas of disturbance greater than five acres, stabilization must be complete as soon as practicable, but no less than seven (7) calendar days after stabilization has been initiated” (**Appendix 3 SWPPP Stabilization**) Furthermore, the SWPPP refers to stabilization but doesn’t indicate quantity of acreage addressed or define which Tracts the SWPPP is referring too. Finally, based on observation numerous areas not currently being worked displayed a total lack of stabilization. **Appendix 1 Photograph #1, Photograph #2, Photograph #3, Photograph #4, and Photograph #5.**
- The updated SWPPP, on page 32, states “The project has 15% to 18% slopes on the exterior perimeters of Tract F (approximate 5.8 acres) (Vista Manzano) and Tract E (approximately 2.2 acres) (Cerro Vista)”. **Appendix 1 Photograph #6 and Photograph #7.**

- The SWPPP on page 35 states “The wire backed silt fence should be cleaned from collected sediment. If the material is damaged- punctured/torn -then it should be replaced. The silt fencing in numerous areas needed cleaning, repair and/or replacement. **Appendix 1 Photograph #6 and Photograph # 8 and Photograph #9.**
- The Sierra Vista project area exhibited vegetation or re-vegetation, though extremely sparse, frail, or non-existent in most areas. NOTE: Sierra Vista representatives stated, Legacy is relying solely on rainfall or a storm event for watering. No mechanical means are utilized, i.e., sprinkler or water truck. Though two (2) water trucks were observed applying water in only areas that were actively being worked. **Appendix 1 Photograph #10, Photograph #11 and Photograph #12 and Appendix 4 Sierra Vista Fugitive Dust Management.**
- There was no observable concrete wash-out pit/basin, though visible evidence did exist of previous/recent concrete placement, i.e., curbs and gutters. A Site Map (provided in the Request for Information (RFI) dated March 15, 2022) denoted the location of the respective washouts/basins (approximately southeast of the Village of Los Lunas WST).
- Several of the E2RC on-site Inspection Reports provided in response to the RFI indicate various deficiencies for the months of August, September and October 2021 and January 2022 (**Appendix 5 E2RC Inspections Reports**). E2RC is an environmental consultant hired by Double M properties.

Section III – SUMMARY/AREAS OF CONCERN

The entire evaluation can be summarized as follows:

- At this juncture it is still not clear what the total surface area of the development project comprises.
- Numerous locations within the development indicated lacking or limited control of stockpiled materials.
- The SWPPP defines dust control measures but does not define the quantity of acres disturbed.
- The SWPPP states “Spray-on Chemical Soil Treatments (Palliatives) per limited research, the effectiveness of polymer stabilization methods range from 70 percent to 90 percent.” However, the SWPPP also states, “Chemical treatment is not employed as a BMP on this project”.
- The SWPPP states “For areas of disturbance greater than five acres, stabilization must be complete as soon as practicable, but no less than seven (7) calendar days after stabilization has been initiated”.
- Numerous areas not currently being worked displayed a total lack of stabilization.
- The silt fencing in numerous areas needed cleaning, repair, and/or replacement.
- The project area exhibited extremely sparse, frail, or non-existent vegetation or re-vegetation. Legacy is relying solely on rainfall or a storm event for watering. No mechanical means were being utilized.
- There was no concrete wash-out pit/basin.
- Several on-site Inspection Reports indicate various deficiencies.

EPA Region 6 inspector David Esparza conducted a closing conference at Legacy at Sierra Vista on March 11, 2022, for the inspection.

Section IV – FOLLOW UP

The following information was received by EPA on March 15, 2022, after exiting the Facility on March 11, 2022:

- A current copy of the updated Stormwater Pollution Prevention Plan (SWPPP), inclusive of all on-site inspection reports from August 2021.
- Copies of Engineering drawings delineating drainage paths, utility piping, stormwater ponds and applicable discharge locations.
- Verification of access to any adjacent stormwater ponds
- A site map identifying the location(s) of concrete wash-out
- The names and points of contact for the builders

Section V – LIST OF APPENDICES

Appendix 1 – Legacy at Sierra Vista Photographic Log- March 11, 2022

Appendix 2 – 200-Acre Notice of Intent

Appendix 3 – SWPPP Stabilization

Appendix 4 – Sierra Vista Fugitive Dust Management

Appendix 5 – E2RC On-site Inspection Reports

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View looking towards the Northeast along eastern side of Legacy at Sierra Vista. (DSCN2149)
Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of unstabilized embankment located along eastern side of development. (DSCN2150).
Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of unstabilized excavation and embankment located along eastern side of development. (DSCN2151). Note: The Jubilee subdivision is in the upper portion of the photograph. Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of unstabilized excavation and embankment located along eastern side of development. (DSCN2153). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View indicative of unstabilized land surface, i.e., vagrant earthen material. (DSCN2159). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of stockpiled unstabilized "cut" (earthen material) located along the east side of the Village of Los Lunas WST. (DSCN2165). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of stockpiled unstabilized "cut" (earthen material) located along the east side of the Village of Los Lunas WST. Note: the height of the staged material in comparison to the vehicle and WST. (DSCN2163). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of silt fencing in need of cleaning, repair, or replacement.(DSCN2166). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of silt fencing in need of cleaning, repair, or replacement.(DSCN2173). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View of the sparse or frail vegetation along the western side of the development. (DSCN2132).
Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View looking approximately north towards New Mexico State Road 6 (SR-6) of the cleared and leveled land surface. Note: the lack of vegetation, no water trucks and that the area was not actively being worked. (DSCN2132). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 12

Location: Legacy at Sierra Vista		
City: Los Lunas	County/Parish: Valencia	State: New Mexico



View looking approximately West in an area that was actively being worked. Note: The one (1) water truck and Village of Los Lunas WST. (DSCN2164). Photographed by D. Esparza

Appendix 2

200-acre Notice of Intent



Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section III of this form requests authorization to discharge pursuant to the NPDES Construction General Permit (CGP) permit number identified in Section II of this form. Submission of this NOI also constitutes notice that the operator identified in Section III of this form meets the eligibility requirements of Part 1.1 CGP for the project identified in Section IV of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in Part 8 of the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form.

Permit Information

NPDES ID: NMR1002AGState/Territory to which your project/site is discharging: NM

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

Are you requesting coverage under this NOI as a "Federal Operator" as defined in Appendix A
(https://www.epa.gov/sites/production/files/2019-05/documents/final_2017_cgp_appendix_a_-_definitions.pdf)?

No

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

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

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

Are you able to demonstrate that you meet one of the criteria listed in Appendix D (https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_d_-_endangered_species_reqs_508.pdf) with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?

Yes

Have you completed the screening process in Appendix E (https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf) relating to the protection of historic properties?

Yes

Indicating "Yes" below, I confirm that I understand that CGP only authorized the allowable stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

Operator Information

Operator Name: Double M. Properties

Operator Mailing Address:

Address Line 1: 4400 Alameda Blvd. NE Suite E

Address Line 2:

City: AlbuquerqueZIP/Postal Code: 87113State: NMCounty or Similar Division: Bernalillo

Operator Point of Contact Information

First Name Middle Initial Last Name: Bob Prewitt

Title: Vice President

Phone: 505-345-2694

Ext.:

Email: prewitt@swcp.com

NOI Preparer Information

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

First Name Middle Initial Last Name: Sydney Fetter

Organization: E2RC, LLC.

Phone: (505) 867-4040

Ext.:

Email: enoi_certify@e2rc.com

Project/Site Information

Project/Site Name: Legacy at Sierra Vista

Project/Site Address

Address Line 1: 0.43 miles West of Jubilee Blvd. on NM-6

Address Line 2:

City: Los Lunas

ZIP/Postal Code: 87031

State: NM

County or Similar Division: Valencia

Latitude/Longitude: 34.820242°N, 106.800303°W

Latitude/Longitude Data Source: Google Earth

Horizontal Reference Datum: NAD 83

Project Start Date: 08/19/2019

Project End Date: 12/31/2021

Estimated Area to be Disturbed: 200

Types of Construction Sites:

- Highway or Road
- Utility

Will there be demolition of any structure built or renovated before January 1, 1980? No

Was the pre-development land use used for agriculture? No

Have earth-disturbing activities commenced on your project/site? No

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

Is your project/site located on a property of religious or cultural significance to an Indian tribe? No

Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? Yes

Are there any waters of the U.S. within 50 feet of your project's earth disturbances? Yes

Are any of the waters of the U.S. to which you discharge designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)? See Appendix F (https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_f_-_tier_3_tier_2_and_tier_2.5_waters_508.pdf)

No

001: Dry Ephemeral Stream

Latitude/Longitude: 34.818538°N, 106.804302°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA 303(d) list)? No

Has a TMDL been completed for this receiving waterbody? No

002: Unnamed Streamriver

Latitude/Longitude: 34.825786°N, 106.795594°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA 303(d) list)? No

Has a TMDL been completed for this receiving waterbody? No

Stormwater Pollution Prevention Plan (SWPPP)



First Name Middle Initial Last Name: Kelley V Fetter, P.E., CPSWQ, CPMSM

Organization:

Title: President

Phone: 505-867-4040

Ext.:

Email: info@e2rc.com

Endangered Species Protection



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

Criterion C

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

The U.S. FWS Species Report and IPaC Critical Habitat Mapping portal indicate there are no critical habitats or endangered, threatened or candidate species in the action area. The nearest critical habitat is 4.43 miles east of the project. The Yellow - Billed Cuckoo and Southwestern Willow Flycatcher habitats consists of densely wooded riparian areas near a water source. As aviary species, the bird's movements is not limited by borders or other impediments. However, the action area in question does not provide the preferred habitat or food requirements to support the species the habitat is near the action area.

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

Rio Grande Silvery Minnow, Yellow-Billed Cuckoo and Southwestern Willow Flycatcher.

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

4.43

Copy of your Site Map:

Name	Uploaded Date	Size
 Critical Habitat for Threatened & Endangered Species [USFWS].pdf (attachment/1402906)	08/26/2021	689.77 KB

Historic Preservation

Are you installing any stormwater controls as described in Appendix E (https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf) that require subsurface earth disturbances? (Appendix E (https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf), Step 1)

Yes

- ➔ Have prior surveys or evaluations conducted on the site already determined historic properties do not exist, or that prior disturbances have precluded the existence of historic properties? (Appendix E (https://www.epa.gov/sites/production/files/2017-02/documents/2017_cgp_final_appendix_e_-_historic_properties_reqs_508.pdf), Step 2):

Yes

Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

Certified By: Robert Prewitt

Certifier Title: President

Certifier Email: prewitt@swcp.com

Certified On: 08/26/2021 4:40 PM ET

Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section III of this form requests authorization to discharge pursuant to the NPDES Construction General Permit (CGP) permit number identified in Section II of this form. Submission of this NOI also constitutes notice that the operator identified in Section III of this form meets the eligibility requirements of Part 1.1 CGP for the project identified in Section IV of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in Part 8 of the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form.

Permit Information

NPDES ID: NMR1002AGState/Territory to which your project/site is discharging: NM

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

Are you requesting coverage under this NOI as a *"Federal Operator"* or a *"Federal Facility"* as defined in Appendix A (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-a-definitions.pdf>)?

No

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

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

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

Are you able to demonstrate that you meet one of the criteria listed in Appendix D (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-d-endangered-species-protection.pdf>) with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?

Yes

Have you completed the screening process in Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>) relating to the protection of historic properties?

Yes

Indicating "Yes" below, I confirm that I understand that CGP only authorized the allowable stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an Inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

Operator Information

Operator Information

Operator Name: Double M. Properties

Operator Mailing Address:

Address Line 1: 4400 Alameda Blvd. NE Suite E

Address Line 2:

City: AlbuquerqueZIP/Postal Code: 87113State: NMCounty or Similar Division: Bernalillo

Operator Point of Contact Information

First Name Middle Initial Last Name: Bob - PrewittTitle: Vice PresidentPhone: 505-345-2694

Ext.:

Email: prewitt@swcp.com

NOI Preparer Information

☒ This NOI is being prepared by someone other than the certifier.First Name Middle Initial Last Name: Sydney - FetterOrganization: E2RC, LLC.Phone: (505) 867-4040

Ext.:

Email: enoi_certify@e2rc.com

Project/Site Information

Project/Site Name: Legacy at Sierra Vista

Project/Site Address

Address Line 1: 0.43 miles West of Jubilee Blvd. on NM-6

Address Line 2:

City: Los LunasZIP/Postal Code: 87031State: NM

County or Similar Division: Valencia

Latitude/Longitude: 34.820242°N, 106.800303°W

Latitude/Longitude Data Source: Google Earth

Horizontal Reference Datum: NAD 83

Project Start Date: 08/19/2019

Project End Date: 12/30/2022

Estimated Area to be Disturbed: 200

Types of Construction Sites:

- Highway or Road
- Utility

Will there be demolition of any structure built or renovated before January 1, 1980? No

Will you be discharging dewatering water from your site? No

Was the pre-development land use used for agriculture? No

Are there other operators that are covered under this permit for the same project site? Yes

➔ NPDES permits

NPDES Permit Number

NMR1003X6

Have earth-disturbing activities commenced on your project/site? No

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

Is your project/site located on a property of religious or cultural significance to an Indian tribe? No

Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? Yes

Are there any waters of the U.S. within 50 feet of your project's earth disturbances? Yes

Are any of the waters of the U.S. to which you discharge designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)? See Resources, Tools and Templates (<https://www.epa.gov/npdes/construction-general-permit-resources-tools-and-templates>)

No

001: Dry Ephemeral Stream

Latitude/Longitude: 34.818538°N, 106.804302°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA 303(d) list)? No

Has a TMDL been completed for this receiving waterbody? No

002: Unnamed Streamriver

Latitude/Longitude: 34.825786°N, 106.795594°W

Tier Designation: N/A

Is this receiving water impaired (on the CWA 303(d) list)? No

Has a TMDL been completed for this receiving waterbody? No

Stormwater Pollution Prevention Plan (SWPPP)

Will all required personnel, including those conducting inspections at your site, meet the training requirements in Part 6 of this permit? Yes

First Name Middle Initial Last Name: Kelley V Fetter, P.E., CPSWQ, CPMSM

Organization:

Title: President

Phone: 505-867-4040

Ext.:

Email: info@e2rc.com

Determine ESA Eligibility Criterion

Are your discharges and discharge-related activities already addressed in another operator's valid certification of eligibility for your "action area" under the current 2022 CGP? No

Has consultation between you, a Federal Agency, and the USFWS and/or the NMFS under section 7 of the Endangered Species Act (ESA) concluded? No

Are your construction activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your site's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat?

No

You must determine whether species listed as either threatened or endangered, or their critical habitat(s) are located in your site's action area (i.e., all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action, including areas beyond the footprint of the site that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges).

Determine your Action Area

You must consider the following in determining the action area for your site, and confirm that all the following are true:

- In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my site and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g., perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my site are included in my action area.

True

- In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction timing, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.

True

Determine if ESA-listed species and/or critical habitat are in your site action area.

ESA-listed species and designated critical habitat are under the purview of the NMFS and the USFWS, and in many cases, you will need to acquire species and critical habitat lists from both federal agencies.

National Marine Fisheries Service (NMFS)

For NMFS species and designated critical habitat information, use the following webpage:

- <https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility> (<https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility>)

I have checked the webpage listed above and confirmed that:

- ☒ There are no NMFS-protected species and/or designated critical habitat in my action area.
- ☐ There are NMFS-protected species and/or designated critical habitat in my action area.

U.S. Fish and Wildlife Service (USFWS)

For USFWS species and critical habitat information, use the following webpage:

- <https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility> (<https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility>)

I have checked the webpage listed above and confirmed that:

- ☒ There are no FWS-protected species and/or designated critical habitat in my action area.
- ☐ There are FWS-protected species and/or designated critical habitat in my action area.

You are eligible under **Criterion A**.

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

USFWS Online Critical Habitat Mapping Tool
USFWS Online IPaC Report Tool, Project Code: 2022-0020487, Consultation Code: 02ENNM00-2019-SLI-1129

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

NMFS Southeast Region Endangered Species List

You must attach: ①

- Aerial image(s) of the site.
- A printout of the species' list(s) showing no ESA-listed species or designated critical habitat in my action area.

Name	Uploaded Date	Size
 Species List_ New Mexico Ecological Services Field Office.pdf (attachment/1482846)	03/16/2022	446.36 KB
 Critical Habitat for Threatened & Endangered Species [USFWS].pdf (attachment/1482838)	03/16/2022	689.77 KB
 Species List_ New Mexico Ecological Services Field Office_2022.pdf (attachment/1482836)	03/16/2022	286.14 KB

Name	Uploaded Date	Size
 Aerial View.jpg (attachment/1482835)	03/16/2022	252.36 KB

Have you attached aerial image(s) of the site? [Yes](#)

Have you attached a printout of the species' list(s) showing no ESA-listed species or designated critical habitat in my action area? [Yes](#)

Have you provided documentation in your SWPPP supporting your eligibility under Criterion A? [Yes](#)

Historic Preservation

Are you installing any stormwater controls as described in Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>) that require subsurface earth disturbances? (Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>), Step 1)

Yes

- Have prior surveys or evaluations conducted on the site already determined historic properties do not exist, or that prior disturbances have precluded the existence of historic properties? (Appendix E (<https://www.epa.gov/system/files/documents/2022-01/2022-cgp-final-appendix-e-historic-properties.pdf>), Step 2):

Yes

Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

Certified By: Robert Prewitt

Certifier Title: President

Certifier Email: prewitt@swcp.com

Certified On: 03/16/2022 12:27 PM ET

Appendix 3

SWPPP Stabilization



Wind Fence Inst: **WX**
4/5/21, 4/29/21
Rem: 6/29/21, 8/03/21

Rock Berm Inst: 3/17/21
Rem: 9/2/21

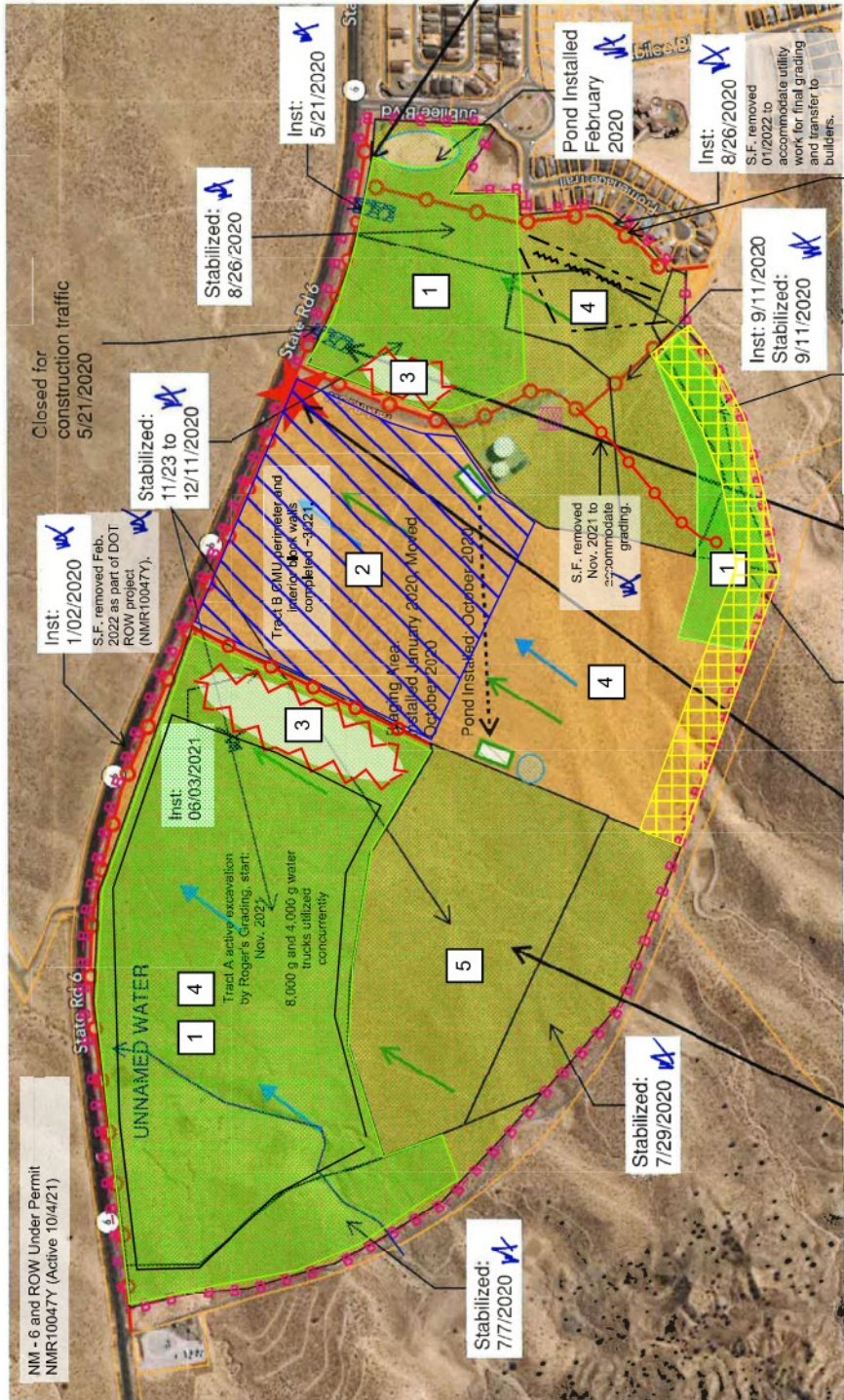
IMPLEMENTATION	
BMP INSTALL	BMP REMOVE
12/31/19	
FINAL STABILIZATION	



Stormwater
Erosion Control
Reclamation
Seeding



www.e2rc.com | 505.867.4040



NM - 6 and ROW Under Permit
NMR10047Y (Active 10/4/21)

Closed for
construction traffic
5/21/2020

Stabilized: 11/23 to 12/11/2020

6/2020
 bilized: 

Inst: 5/21/2

Stabilized:
7/7/2020

Stabilized: 7/29/2020 

Inst: 8/26/2020

Inst: 9/11/2020
Stabilized:

Hydroseeding with rock mulch in between S.F. and

Coconut Fiber
blankets installed
March 2022

Stabilized:
11/19/2020

STABILIZED CONSTRUCTION

NPDES PERMITTING

TEMPORARY SOIL STABILIZER

IMPLEMENTATION	
EMP INSTALL	BMP REMOVE
12/31/19	
FINAL STABILIZATION	

IMPLEMENTATION	
BMP INSTALL	BMP REMOVE
12/31/19	
FINAL STABILIZATION	

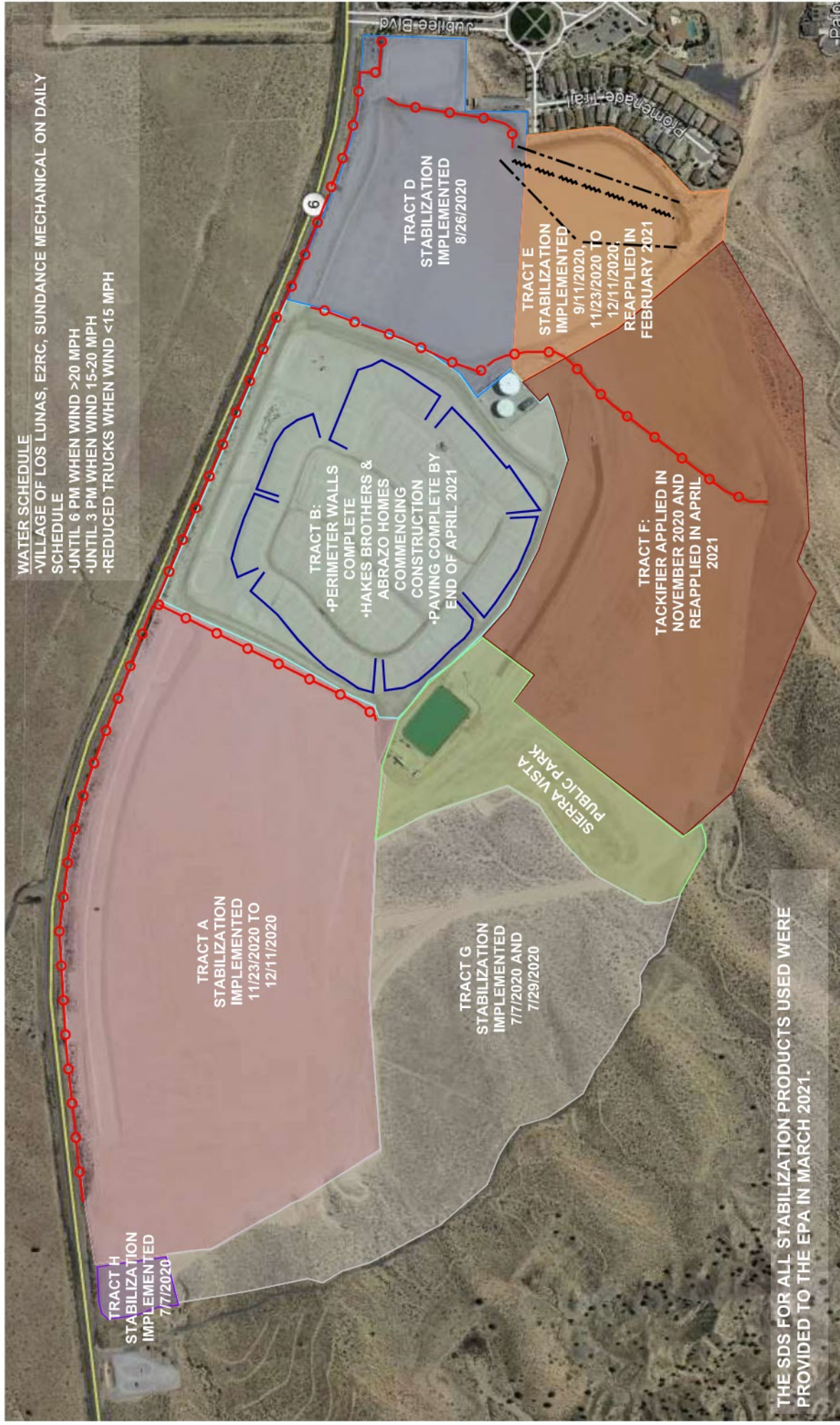
1: Reseeded July 2021	☒
2: Vertical Construction	☒
3: Stockpiles Inst: Sept. 2021	☒
4: Active Grading Work	☒
5: Undisturbed	☒

Appendix 4

Sierra Vista Fugitive Dust Management

WATER SCHEDULE

- WATERCOURSE SCHEDULE**
- VILLAGE OF LOS LUNAS, E2RC, SUNDANCE MECHANICAL ON DAILY SCHEDULE**
- UNTIL 6 PM WHEN WIND >20 MPH
 - UNTIL 3 PM WHEN WIND 15-20 MPH
 - REDUCED TRUCKS WHEN WIND <15 MPH



THE SDS FOR ALL STABILIZATION PRODUCTS USED WERE PROVIDED TO THE EPA IN MARCH 2021.

-  SILT FENCE: MAINTAINED AS OBSERVED AND NEEDED
 PERIMETER WALL
 ROCK BERM
 WIND FENCE: MAINTAINED AS OBSERVED AND NEEDED

SIERRA VISTA FUGITIVE DUST MANAGEMENT

APRIL 2021

Appendix 5

E2RC Inspection Reports



INSPECTION REPORT

GENERAL INFORMATION

DATE OF INSPECTION: 8/19/2021

COMPANY NAME: Double M Properties

PROJECT NAME: Legacy at Sierra Vista

LOCATION: NM 6, 0.4 Miles West of Jubilee Blvd., Los Lunas, New Mexico, 87031

TRACKING NO: NMR1002AG

COMPLIANCE EVALUATION: **Marginal**

TYPE OF INSPECTION: 14Day

START TIME: 12:40 PM

END TIME: 1:05 PM

INSPECTOR'S NAME: Ray Welton

INSPECTOR'S TITLE: NPDES Inspector

INSPECTOR'S QUALIFICATIONS: StormwaterONE

INSPECTOR'S CONTACT: 505-400-7500

PHASE OF CONSTRUCTION: ☒ Clear and Grub ☒ Excavation ☒ Building (vertical)
☐ Rough Grading ☒ Infrastructure ☐ Final Grading
☐ Final Stabilization

WEATHER INFORMATION

HAS A STORM EVENT OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

WEATHER AT TIME OF THIS INSPECTION: Clear

TEMPERATURE: 82

HAVE ANY DISCHARGES OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

ARE ANY DISCHARGES OCCURRING NOW? ☐ Yes ☒ No

ARE ANY PORTIONS OF YOUR SITE UNSAFE TO INSPECT? ☐ Yes ☒ No

POLLUTION PREVENTION, SEDIMENT AND EROSION CONTROL BMP'S

#	S&E/P2 CONTROLS	MAINTENANCE	CORRECTIVE ACTION	LOCATION	QUANTITY	UNIT	PHOTO
1	NPDES Permit Notification	None	None	Entrance	1	EA	Yes
2	Inlet Protection	Clean	None	Entrance	1	EA	Yes
	Inlet Protection	Clean	None	Entrance	1	EA	Yes
3	Concrete Washout	Update	None	Onsite	1	EA	Yes

GENERAL SITE INSPECTION ITEMS

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
1	Is the SWPPP signage clearly posted with the correct information and properly displayed at an obvious perimeter location?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	SWPPP signage clearly posted with the correct information and properly displayed at an obvious perimeter location.
2	Are steep slope areas not actively being worked properly stabilized?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Silt fence mid site is on the border of new excavation, leading to silt fence level. Inlets at entrance require cleaning and sediment removal.
3	Are disturbed areas not actively being worked properly stabilized?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
4	Are natural resource areas (e.g. streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
5	Are discharge points and receiving waters free of any sediment deposits?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
6	Is trash/litter from work areas collected and placed in covered dumpsters?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
7	Are washout facilities (e.g. paint, stucco, concrete) available, clearly marked and maintained?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	Wash out is onsite. Wash out requires signage indicating contents and location.
8	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks or any other deleterious material?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
9	Are materials that are potential stormwater contaminants stored inside or in containers?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
10	Are offsite flows entering the construction site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	No offsite flows entering the construction site.
11	Is there any evidence that pollutants are leaving the site or are not properly contained on site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	No evidence that pollutants are leaving the site.
12	Are traffic and parking areas restricted so as to reduce soil erosion and dust?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
13	Are non-stormwater discharges properly controlled?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
14	Is the project being operated in compliance with the SWPPP and with permit conditions at this time?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Wash out is onsite. Wash out requires signage indicating contents and location. Inlets at entrance require cleaning and sediment removal.
15	Are changes to the SWPPP necessary at this time?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	No changes to the SWPPP necessary at this time.
16	Are dust control measures being properly implemented?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
17	Are the SWPPP documentation and records up to date and accurately reflect the current conditions? (e.g. Site Map, Inspection Reports, Installation Dates)	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Book not viewed onsite.

CERTIFICATION AND SIGNATURE BY INSPECTOR

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

INSPECTED BY: Ray Welton

DATE: August 20, 2021

SIGNATURE AND AFFILIATION:



CERTIFICATION AND SIGNATURE BY PERMITTEE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

PRINT NAME AND TITLE: Robert Prewitt, VP

DATE: 9/2/21

SIGNATURE: Robert C. Prewitt



INSPECTION REPORT

GENERAL INFORMATION

DATE OF INSPECTION: 9/29/2021

COMPANY NAME: Double M Properties

PROJECT NAME: Legacy at Sierra Vista

LOCATION: NM 6, 0.4 Miles West of Jubilee Blvd., Los Lunas, New Mexico, 87031

TRACKING NO: NMR1002AG

COMPLIANCE EVALUATION: **Marginal**

TYPE OF INSPECTION: 14Day

START TIME: 11:50 AM

END TIME: 12:30 PM

INSPECTOR'S NAME: Ryan Higdon

INSPECTOR'S TITLE: Senior NPDES Inspector

INSPECTOR'S QUALIFICATIONS: CISEC

INSPECTOR'S CONTACT: 505-715-0392

PHASE OF CONSTRUCTION:

☐ Clear and Grub ☒ **Excavation** ☐ Building (vertical)

☐ Rough Grading ☒ **Infrastructure** ☐ Final Grading

☐ Final Stabilization

WEATHER INFORMATION

HAS A STORM EVENT OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

WEATHER AT TIME OF THIS INSPECTION: Clear

TEMPERATURE: 0

HAVE ANY DISCHARGES OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

ARE ANY DISCHARGES OCCURRING NOW? ☐ Yes ☒ No

ARE ANY PORTIONS OF YOUR SITE UNSAFE TO INSPECT? ☐ Yes ☒ No

POLLUTION PREVENTION, SEDIMENT AND EROSION CONTROL BMP'S

#	S&E/P2 CONTROLS	MAINTENANCE	CORRECTIVE ACTION	LOCATION	QUANTITY	UNIT	PHOTO
1	NPDES Permit Notification	None	None	Entrance	1	EA	
2	Inlet Protection	Clean	None	Various locations along project	6	EA	Yes

GENERAL SITE INSPECTION ITEMS

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
1	Is the SWPPP signage clearly posted with the correct information and properly displayed at an obvious perimeter location?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Swppp information posted rain gauge empty
2	Are steep slope areas not actively being worked properly stabilized?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
3	Are disturbed areas not actively being worked properly stabilized?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
4	Are natural resource areas (e.g. streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	No natural resources in general area of construction site
5	Are discharge points and receiving waters free of any sediment deposits?	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	Inlets need clean and reset
6	Is trash/litter from work areas collected and placed in covered dumpsters?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Site clean and maintained
7	Are washout facilities (e.g. paint, stucco, concrete) available, clearly marked and maintained?	☐ Yes ☐ No ☒ N/A	☐ Yes ☒ No	Not applicable at time of inspection
8	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks or any other deleterious material?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	No spills or leaks
9	Are materials that are potential stormwater contaminants stored inside or in containers?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
10	Are offsite flows entering the construction site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	None observed at time of inspection
11	Is there any evidence that pollutants are leaving the site or are not properly contained on site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	No pollutants observed leaving site

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
12	Are traffic and parking areas restricted so as to reduce soil erosion and dust?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
13	Are non-stormwater discharges properly controlled?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
14	Is the project being operated in compliance with the SWPPP and with permit conditions at this time?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
15	Are changes to the SWPPP necessary at this time?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	None
16	Are dust control measures being properly implemented?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
17	Are the SWPPP documentation and records up to date and accurately reflect the current conditions? (e.g. Site Map, Inspection Reports, Installation Dates)	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	... No personnel onsite unable to confirm..

CERTIFICATION AND SIGNATURE BY INSPECTOR

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

INSPECTED BY:

Ryan Higdon

DATE:

September 30, 2021

SIGNATURE AND AFFILIATION:



CERTIFICATION AND SIGNATURE BY PERMITTEE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

PRINT NAME AND TITLE:

DATE: 9/30/21

SIGNATURE:

Robert C. Prewitt



INSPECTION REPORT

GENERAL INFORMATION

DATE OF INSPECTION: 10/13/2021

COMPANY NAME: Double M Properties

PROJECT NAME: Legacy at Sierra Vista

LOCATION: NM 6, 0.4 Miles West of Jubilee Blvd., Los Lunas, New Mexico, 87031

TRACKING NO: NMR1002AG

COMPLIANCE EVALUATION: Satisfactory

TYPE OF INSPECTION: 14Day

START TIME: 01:00 PM

END TIME: 01:35 PM

INSPECTOR'S NAME: Ryan Higdon

INSPECTOR'S TITLE: Senior NPDES Inspector

INSPECTOR'S QUALIFICATIONS: CISEC

INSPECTOR'S CONTACT: 505-715-0392

PHASE OF CONSTRUCTION: ☐ Clear and Grub ☒ Excavation ☐ Building (vertical)
☐ Rough Grading ☒ Infrastructure ☐ Final Grading
☐ Final Stabilization

WEATHER INFORMATION

HAS A STORM EVENT OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

WEATHER AT TIME OF THIS INSPECTION: Clear

TEMPERATURE: 0

HAVE ANY DISCHARGES OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

ARE ANY DISCHARGES OCCURRING NOW? ☐ Yes ☒ No

ARE ANY PORTIONS OF YOUR SITE UNSAFE TO INSPECT? ☐ Yes ☒ No

POLLUTION PREVENTION, SEDIMENT AND EROSION CONTROL BMP'S

#	S&E/P2 CONTROLS	MAINTENANCE	CORRECTIVE ACTION	LOCATION	QUANTITY	UNIT	PHOTO
1	NPDES Permit Notification	None	None	Entrance	1	EA	Yes
2	Inlet Protection	None	None	Onsite	6	EA	Yes

GENERAL SITE INSPECTION ITEMS

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
1	Is the SWPPP signage clearly posted with the correct information and properly displayed at an obvious perimeter location?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Swppp information posted rain gauge empty
2	Are steep slope areas not actively being worked properly stabilized?	☐ Yes ☐ No ☒ N/A	☐ Yes ☒ No	Not applicable
3	Are disturbed areas not actively being worked properly stabilized?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
4	Are natural resource areas (e.g. streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	No natural resources in general area of construction
5	Are discharge points and receiving waters free of any sediment deposits?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
6	Is trash/litter from work areas collected and placed in covered dumpsters?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Site maintained
7	Are washout facilities (e.g. paint, stucco, concrete) available, clearly marked and maintained?	☐ Yes ☐ No ☒ N/A	☐ Yes ☒ No	
8	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks or any other deleterious material?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
9	Are materials that are potential stormwater contaminants stored inside or in containers?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Yes
10	Are offsite flows entering the construction site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	None observed
11	Is there any evidence that pollutants are leaving the site or are not properly contained on site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	No pollutants observed leaving site

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
12	Are traffic and parking areas restricted so as to reduce soil erosion and dust?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
13	Are non-stormwater discharges properly controlled?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
14	Is the project being operated in compliance with the SWPPP and with permit conditions at this time?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Some interior silt fence could use some maintenance...
15	Are changes to the SWPPP necessary at this time?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	
16	Are dust control measures being properly implemented?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
17	Are the SWPPP documentation and records up to date and accurately reflect the current conditions? (e.g. Site Map, Inspection Reports, Installation Dates)	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Unable to confirm at time of inspection

CERTIFICATION AND SIGNATURE BY INSPECTOR

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

INSPECTED BY:

Ryan Higdon

DATE: October 15, 2021

SIGNATURE AND AFFILIATION:



CERTIFICATION AND SIGNATURE BY PERMITTEE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

PRINT NAME AND TITLE: Robert Prewitt,

VP

DATE: 10/15/21

SIGNATURE:

Robert C. Prewitt



INSPECTION REPORT

GENERAL INFORMATION

DATE OF INSPECTION: 1/5/2022

COMPANY NAME: Double M Properties

PROJECT NAME: Legacy at Sierra Vista

LOCATION: NM 6, 0.4 Miles West of Jubilee Blvd., Los Lunas, New Mexico, 87031

TRACKING NO: NMR1002AG

COMPLIANCE EVALUATION: **Marginal**

TYPE OF INSPECTION: 14Day

START TIME: 12:00 PM

END TIME: 12:15 PM

INSPECTOR'S NAME: Ryan Higdon

INSPECTOR'S TITLE: Senior NPDES Inspector

INSPECTOR'S QUALIFICATIONS: CISEC

INSPECTOR'S CONTACT: 505-715-0392

PHASE OF CONSTRUCTION:

☐ Clear and Grub ☒ Excavation ☐ Building (vertical)

☐ Rough Grading ☒ Infrastructure ☐ Final Grading

☐ Final Stabilization

WEATHER INFORMATION

HAS A STORM EVENT OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

WEATHER AT TIME OF THIS INSPECTION: Clear

TEMPERATURE: 0

HAVE ANY DISCHARGES OCCURRED SINCE THE LAST INSPECTION? ☐ Yes ☒ No

ARE ANY DISCHARGES OCCURRING NOW? ☐ Yes ☒ No

ARE ANY PORTIONS OF YOUR SITE UNSAFE TO INSPECT? ☐ Yes ☒ No

POLLUTION PREVENTION, SEDIMENT AND EROSION CONTROL BMP'S

#	S&E/P2 CONTROLS	MAINTENANCE	CORRECTIVE ACTION	LOCATION	QUANTITY	UNIT	PHOTO
1	NPDES Permit Notification	None	None	Entrance	1	EA	Yes
2	Silt Fence	Clean	None	Along NM 6 east of entrance	400	LF	Yes

GENERAL SITE INSPECTION ITEMS

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
1	Is the SWPPP signage clearly posted with the correct information and properly displayed at an obvious perimeter location?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Swppp information posted rain gauge empty
2	Are steep slope areas not actively being worked properly stabilized?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
3	Are disturbed areas not actively being worked properly stabilized?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
4	Are natural resource areas (e.g. streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	No natural resources in general area of construction site
5	Are discharge points and receiving waters free of any sediment deposits?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
6	Is trash/litter from work areas collected and placed in covered dumpsters?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Site clean and maintained
7	Are washout facilities (e.g. paint, stucco, concrete) available, clearly marked and maintained?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Not applicable at time of inspection
8	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks or any other deleterious material?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
9	Are materials that are potential stormwater contaminants stored inside or in containers?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
10	Are offsite flows entering the construction site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	None observed
11	Is there any evidence that pollutants are leaving the site or are not properly contained on site?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	No pollutants observed leaving site

#	INSPECTION ITEM	INSPECTOR'S OBSERVATION	ACTION REQUIRED?	NOTES
12	Are traffic and parking areas restricted so as to reduce soil erosion and dust?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
13	Are non-stormwater discharges properly controlled?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
14	Is the project being operated in compliance with the SWPPP and with permit conditions at this time?	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	Silt fence needs cleaned sediment buildup is going over top of silt fence
15	Are changes to the SWPPP necessary at this time?	☐ Yes ☒ No ☐ N/A	☐ Yes ☒ No	
16	Are dust control measures being properly implemented?	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	
17	Are the SWPPP documentation and records up to date and accurately reflect the current conditions? (e.g. Site Map, Inspection Reports, Installation Dates)	☒ Yes ☐ No ☐ N/A	☐ Yes ☒ No	Unable to confirm at time of inspection

CERTIFICATION AND SIGNATURE BY INSPECTOR

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

INSPECTED BY:

Ryan Higdon

DATE:

January 06, 2022

SIGNATURE AND AFFILIATION:



CERTIFICATION AND SIGNATURE BY PERMITTEE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

PRINT NAME AND TITLE: Robert Prewitt, VP

DATE: 1/6/22

SIGNATURE:

Robert C. Prewitt