



NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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Acting Director
Resource Protection Division

Certified Mail - Return Receipt Requested

April 18, 2013

Mr. Chris Hakes, VP of Operations
Hakes Brothers Construction, LLC
P.O. Box 2022
Las Cruces, NM 88004

Re: Construction Stormwater, SIC 1542, NPDES Compliance Evaluation Inspection, Hakes Brothers Construction LLC, The Pueblos at Alameda Ranch Phase 2 Construction Project, NPDES Permit NMR12A321, April 5, 2013

Dear Mr. Hakes:

Enclosed please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at a construction site for which you may be an "operator" (see Appendix A in permit). The NMED conducted this inspection on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas, for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Problems noted during this inspection are specified in the checklist section of the attached inspection report. You are encouraged to review the inspection report and required to immediately correct any problems noted during the inspection and modify your operational and/or administrative procedures, as appropriate. Further, you are encouraged to notify in writing, both USEPA (Diana McDonald, USEPA (6EN-WT), 1445 Ross Ave., Dallas, Texas, 75202) and NMED (at the above address) regarding modifications and compliance schedules.

I want to thank you for your assistance during this inspection. If you have any questions, please feel free to contact me at sarah.holcomb@state.nm.us or by telephone at (505) 222-9587.

Sincerely,
/s/ Sarah Holcomb
Sarah Holcomb
Surface Water Quality Bureau

Cc: Rashida Bowlin, USEPA (6EN-AS) by email Hannah Branning, USEPA (6EN-AS) by email
Carol Peters-Wagnon (6EN-AS) by email
Diana McDonald, USEPA (6EN-AS) by email
Darlene Whitten-Hill, USEPA (6EN-AS) by email
Mike Kesler, Acting NMED District 3 Manager, by email



NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code			NPDES										yr/mo/day					Inspec. Type		Inspector		Fac Type									
1	N	2	5	3	N	M	R	1	2	A	3	2	1	11	12	1	3	0	4	0	5	17	18	C	19	S	20	}			
Remarks																															
C O N S T R U C T I O N										≥ 1 A C R E																					
Inspection Work Days						Facility Evaluation Rating						BI		QA		-----Reserved-----															
67						69		70		2		71		N		72		N		73				74		75				80	

Section B: Facility Data

Name and Location of Facility Inspected <i>(For industrial users discharging to POTW, also include POTW name and NPDES permit number)</i> THE PUEBLOS AT ALAMEDA RANCH SUBDIVISION, LAS CRUCES, DONA ANA COUNTY, NM: From I-25, take I-70 West toward Alamogordo. Take the exit at Sonoma Ranch Rd. and head south. Turn left at Northrise Dr., turn right on Yavapai, and turn right on Isleta Ct.		Entry Time /Date 1015 hours / 4-5-2013		Permit Effective Date 2-15-2012	
		Exit Time/Date 1210 hours / 4-5-2013		Permit Expiration Date 2-14-2017	
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Mr. Chris Hakes, VP of Operations, Hakes Brothers (575) 373-1120				Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number Mr. Chris Hakes, VP of Operations, Hakes Brothers (575) 373-1120 PO Box 2202, Las Cruces, NM 88004				GPS: N. 32° 22' 2.0" W. -106° 43' 35.7" SIC:1521	
				Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

M	Permit	N	Flow Measurement	M	Operations & Maintenance	N	CSO/SSO
U	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
M	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

1. Inspector arrived at the site at 1015 hours on April 5, 2013 and contacted Mr. Chris Hakes, VP of Operations. Mr. Hakes arrived on site shortly thereafter, where the inspector made introductions, presented her credentials and explained the purpose of the inspection. There was a tour of the homes currently under construction, and review of the SWPPP commenced thereafter. An exit interview was conducted at the site at approximately 1200-1210 hours on April 5, 2013.
2. Please see report for further information.

Name(s) and Signature(s) of Inspector(s) Sarah Holcomb /s/ Sarah Holcomb		Agency/Office/Telephone/Fax 505-222-9587		Date 4-18-2013	
Signature of Management QA Reviewer Bruce Yurdin /s/ Bruce Yurdin		Agency/Office/Phone and Fax Numbers 505-827-2798		Date 4-18-2013	

National Database Information				General			
Inspection Type	CEI			Inspector Name	S. Holcomb		
NPDES ID Number	NMR12A321			Telephone	505-222-9587		
Inspection Date	4-5-2013			Entry Time	1015 hours		
Inspector Type (circle one)	EPA	<input checked="" type="checkbox"/> State	EPA Oversight	Exit Time	1210 hours		
Facility Type (circle one)	Commercial /	<input checked="" type="checkbox"/> Residential	/	Signature	/s/ Sarah Holcomb		
	Municipal /	Industrial					
Facility Location Information							
Name/Location/Mailing Address	The Pueblos at Alameda Ranch Subdivision, near I-70 and Sonoma Ranch Rd., Las Cruces Mailing: PO Box 2202, Las Cruces, NM 88004						
Coordinates	Latitude	N. 32° 22' 2.0"		Longitude	W. -106° 43' 35.7"		
Receiving Waters	Las Cruces MS4, thence to the Rio Grande in 20.6.4.101 NMAC						
Disturbed Area	47 acres	Start/Stop Dates	4-26-2012 to 12-1-2014				
Contact Information							
	Name(s)			Telephone			
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Hakes Brothers (owner and GC)						
Facility Contact	Mr. Chris Hakes, VP of Operations			575-373-1120			
Authorized Official(s)	Mr. Chris Hakes, VP of Operations			575-373-1120			
Site Information: circle all that apply							
Nature of Project	<input checked="" type="checkbox"/> Residential	Commercial / Industrial	Roadway	<input checked="" type="checkbox"/> Private	Federal	State / Municipal	Other
Construction Stage	Clearing / Grubbing	Rough Grading	Infrastructure	<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> (Vertical)	Final Grading	Final Stabilization	
Basic Permit Information				Basic SWPPP Information			
Permit Coverage	<input checked="" type="checkbox"/> Y	N	SWPPP Prepared & Available? <i>Part 7.1.1, 7.2.1</i>	<input checked="" type="checkbox"/> Y	N		
Permit Type	<input checked="" type="checkbox"/> General	Individual	SWPPP Contents Satisfactory?	Y	<input checked="" type="checkbox"/> N		
Notice Posted (visible, font large, NPDES Permit tracking#, contact name & phone #) <i>Part 1.5</i>	Y	<input checked="" type="checkbox"/> N	SWPPP Implementation Satisfactory?	Y	<input checked="" type="checkbox"/> N		
NOI Date	4-25-2012		SWPPP Date	4-20-2012			
Is NOI Satisfactory?	Y	<input checked="" type="checkbox"/> N					

Additional Facility and Inspection Information (optional)
Although the NOI lists the site as being 47 acres, this homebuilder is buying individual lots and building homes after purchase. At the time of this inspection, there were three lots actively under construction.

SWPPP Review (can be completed in office)			
General	Notes:		
SWPPP Signed/Certified. Did all operators sign/certify the SWPPP? <i>Part 7.2.15, Appendix I.11</i>	Y	<input checked="" type="checkbox"/> N	
SWPPP completed prior to NOI? <i>Part 7.1.1, Part 1.2.1</i>	<input checked="" type="checkbox"/> Y	N	
Endangered Species Act. Does SWPPP include documentation supporting determination? <i>Part 7.2.14.1; Part 1.1.e, Appendix D</i>	Y	<input checked="" type="checkbox"/> N	NOI certified Criterion A, but the SWPPP did not contain the information to support it. Criterion C may have been more appropriate in this case.
Historic Properties. Does SWPPP include documentation supporting determination? <i>Part 7.2.14.2, Appendix E</i>	<input checked="" type="checkbox"/> Y	N	
If applicable, documents contact with agency or office responsible for implementing Safe Drinking Water Act underground injection control well(s)? <i>Part 7.2.14.3, 40 CFR Parts 144 -147</i>	Y	N	N/A
Post-Authorization Additions. Does SWPPP include: ➤ Copy of acknowledgement letter Y/N ➤ Copy of NOI Y/N ➤ Copy of permit Y/ N <i>Part 7.2.16.3</i>	<input checked="" type="checkbox"/> Y	N	
If applicable, SWPPP describes compliance with any case-by-case basis USEPA imposed water quality-based effluent limitation requirements? <i>Part 3</i>	Y	N	N/A
If discharge to an impaired water, includes records of all data used to complete NOI: ➤ List of all impaired waters Y/N ➤ Pollutant(s) for which the surface water is impaired Y/N ➤ Whether a TMDL has been approved or established Y/N <i>Part 3.2.1, Appendix I.15</i>	<input checked="" type="checkbox"/> Y	N	
Required SWPPP modifications completed? ➤ Completed w/7 days Y/N ➤ Maintains modification records showing dates, name of person authorizing change and summary Y/N ➤ Signed/Certified Y/N ➤ Immediately notified other operators Y/N <i>Parts 7.4, 5.2.2, Appendix I.11.b</i>	Y	<input checked="" type="checkbox"/> N	No modifications were documented to have been needed at the time of this inspection.
Records Retention. Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires or is terminated? <i>Parts 4.1.7, 5.4.4, Appendix I.10.2, I.15</i>	<input checked="" type="checkbox"/> Y	N	

Team & Activity Description	Notes:		
<p>Identifies stormwater team personnel and responsibilities?</p> <ul style="list-style-type: none"> ➤ Personnel (by name or position) Y/N ➤ Individual responsibilities Y/N <p><i>Part 7.2.1</i></p>	Y	<input type="checkbox"/> N	
<p>Is staff training documented?</p> <ul style="list-style-type: none"> ➤ Training occurs prior to the commencement of earth-disturbing activities or pollutant-generating activities, whichever occurs first Y/N ➤ Ensures following understand the requirements of this permit and their specific responsibilities: <ul style="list-style-type: none"> ○ Personnel responsible for the design, installation, maintenance, and/or repair of controls/measures Y/N ○ Personnel responsible for the application and storage of treatment chemicals Y/N ○ Personnel responsible for conducting inspections Y/N ○ Personnel responsible for taking corrective actions Y/N ➤ At a minimum, training includes: <ul style="list-style-type: none"> ○ Location of all stormwater controls on the site required by this permit, and how maintained Y/N ○ Proper procedures to follow with respect to the permit's pollution prevention requirements Y/N ○ When and how to conduct inspections, record applicable findings, and take corrective actions Y/N <p><i>Parts 7.2.13, 6 and permit notes for emergency-related construction activities</i></p>	Y	<input type="checkbox"/> N	
<p>Describes nature of construction activities?</p> <ul style="list-style-type: none"> ➤ Size of the property <input type="checkbox"/> Y/N ➤ Total area to be disturbed <input type="checkbox"/> Y/N ➤ Construction support activity areas <input type="checkbox"/> Y/N ➤ Maximum area to be disturbed at any one time <input type="checkbox"/> Y/N <p><i>Part 7.2.2</i></p>	<input type="checkbox"/> Y	N	
<p>If applicable, documents emergency-related projects?</p> <ul style="list-style-type: none"> ➤ Cause of public emergency (e.g., natural disaster, extreme flooding conditions, etc.) Y/N ➤ Info substantiating occurrence (e.g., state disaster declaration or similar state or local declaration) Y/N ➤ Description of the construction necessary to reestablish effected public services Y/N <p><i>Parts 7.2.3, 1.2</i></p>	Y	N	N/A

Identifies (lists) other site operators and areas of site over which each has control? ➤ List and areas of site over which each has control Y/N <i>Part 7.2.4</i>	Y	N	N/A
Describes sequence, estimated dates (departures) and duration of construction activities? ➤ Installation of control measures when operational <input checked="" type="checkbox"/> /N ➤ Commencement/duration clearing & grubbing, mass grading, site preparation (excavating, cutting & filling), final grading, and creation of soil & vegetation stockpiles <input checked="" type="checkbox"/> /N ➤ Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of site <input checked="" type="checkbox"/> /N ➤ Final/temporary stabilization areas of exposed soil <input checked="" type="checkbox"/> /N ➤ Removal of temporary stormwater conveyances/channels and other stormwater control measures <input checked="" type="checkbox"/> /N ➤ Removal of construction equipment and vehicles <input checked="" type="checkbox"/> /N <i>Part 7.2.5</i>	<input checked="" type="checkbox"/>	N	
Site Map		Notes:	
Includes legible site map(s)? <i>Part 7.2.6</i>	<input checked="" type="checkbox"/>	N	
➤ Boundaries of the property <input checked="" type="checkbox"/> /N ➤ Locations construction activities will occur <input checked="" type="checkbox"/> /N ➤ Locations earth-disturbing activities will occur (note any phasing) <input checked="" type="checkbox"/> /N ➤ Approximate slopes before and after major grading (note steep slopes) <input checked="" type="checkbox"/> /N ➤ Locations sediment, soil, or materials will be stockpiled Y/N/ <input checked="" type="checkbox"/> /NA ➤ Locations of crossings of surface waters Y/N/ <input checked="" type="checkbox"/> /NA ➤ Designated points vehicles exit onto paved roads Y/N/ <input checked="" type="checkbox"/> /NA ➤ Locations of structures/impervious surfaces upon completion <input checked="" type="checkbox"/> /N ➤ Locations of construction support activity areas Y/N/ <input checked="" type="checkbox"/> /NA <i>Part 7.2.6.1</i>	Y	N	
➤ Locations of surface waters/wetlands, within or in immediate vicinity <input checked="" type="checkbox"/> /N ➤ Indicates waters listed as impaired, and Tier 2, Tier 2.5 , or Tier 3 Y/ <input checked="" type="checkbox"/> /N <i>Part 7.2.6.2</i>	Y	<input checked="" type="checkbox"/>	
➤ Boundary lines of natural buffers <i>Parts 7.2.6.3, 2.1.2.1a</i>	Y	N	N/A

<ul style="list-style-type: none"> ➤ Areas of federally-listed critical habitat for endangered or threatened species <i>Part 7.2.6.4</i>	Y	N	N/A
<ul style="list-style-type: none"> ➤ Topography Y/N ➤ Existing vegetative cover Y/N ➤ Drainage pattern of stormwater/authorized non-stormwater flow onto, over, and from site <u>before and after</u> major grading Y/N <i>Part 7.2.6.5</i>	Y	<input type="checkbox"/> N	
<ul style="list-style-type: none"> ➤ Stormwater and allowable non-stormwater discharge locations Y/N ➤ Locations of storm drain inlets on site and immediate vicinity Y/N ➤ Locations stormwater or allowable non-stormwater will be discharged to surface waters (including wetlands) on or near site Y/N <i>Part 7.2.6.6</i>	Y	<input type="checkbox"/> N	
<ul style="list-style-type: none"> ➤ Locations of potential pollutant-generating activities <i>Part 7.2.6.7, Part 7.2.7</i>	<input type="checkbox"/> Y	N	
<ul style="list-style-type: none"> ➤ Locations of control measures <i>Part 7.2.6.8</i>	<input type="checkbox"/> Y	N	
<ul style="list-style-type: none"> ➤ Locations polymers, flocculants, or treatment chemicals will be used/stored <i>Part 7.2.6.9</i>	Y	N	N/A
Construction Site Pollutants		Notes:	
Includes pollutant-generating activities list and description? <i>Part 7.2.7.1</i>	<input type="checkbox"/> Y	N	
Includes inventory of pollutants or constituents? <ul style="list-style-type: none"> ➤ Inventory <input type="checkbox"/> Y/N ➤ Potential spills/leaks <input type="checkbox"/> Y/N ➤ Departures from manufacturer's specifications for applying fertilizers containing nitrogen & phosphorus <input type="checkbox"/> Y/N <i>Parts 7.2.7.2, 2.3.5.1</i>	<input type="checkbox"/> Y	N	
Identifies all sources of allowable non-stormwater discharges? <i>Parts 7.2.8, 1.3.d</i>	<input type="checkbox"/> Y	N	
If required (surface water w/50 feet of earth disturbance), documents and describes <u>buffer compliance alternative</u> selected? <ul style="list-style-type: none"> ➤ Ensures that all discharges from the area of earth disturbance to the natural buffer are first treated by the site's erosion and sediment controls Y/N/NA ➤ Uses velocity dissipation devices, if necessary Y/N/NA ➤ Documents natural buffer width Y/N/NA ➤ Delineates, and clearly marks off, with flags, tape, or other similar marking device all natural buffer areas Y/N/NA ➤ Documents erosion and sediment control(s) used to achieve an equivalent sediment 	Y	N	N/A

reduction Y/N/NA ➤ Documents any information relied upon to demonstrate equivalency Y/N/NA <i>Parts 7.2.9, 2.1.2, Appendix G</i>			
As applicable, describes and documents <u>buffer exceptions</u>? ➤ Describes rationale/why infeasible to provide and maintain an undisturbed natural buffer of any size Y/N/NA ➤ For linear project, describes buffer width retained and supplemental controls installed Y/N/NA ➤ Small residential lot options Y/N/NA ➤ Documents CWA Section 404 Permit, water-dependent structure/access disturbances Y/N <i>Parts 7.2.9; 2.1.2.1e, Appendix G</i>	Y	N	N/A
All Stormwater Control Measures		Notes:	
Describes each measure? ➤ Type of measure to be installed and maintained, including design information <input checked="" type="checkbox"/> Y/ <input type="checkbox"/> N ➤ Specific sediment controls installed and made operational prior to conducting earth-disturbing activities <input checked="" type="checkbox"/> Y/ <input type="checkbox"/> N ➤ For exit points, stabilization techniques and any additional controls planned to remove sediment prior to vehicle exit <input checked="" type="checkbox"/> Y/ <input type="checkbox"/> N ➤ For linear projects (if applicable), where/why it has been determined that the use of perimeter controls is practicable Y/N/ <input type="checkbox"/> NA <i>Part 7.2.10.1</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Erosion and Sediment Controls		Notes:	
Minimizes area of disturbance? <i>Part 2.1.1.1</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Describes erosion and sediment control <u>design requirements</u>? ➤ Accounts for expected amount, frequency, intensity, duration of precipitation <input checked="" type="checkbox"/> Y/ <input type="checkbox"/> N ➤ Accounts for nature of run-on and run-off (channelized peak flow rates & total volume at outlet) <input checked="" type="checkbox"/> Y/ <input type="checkbox"/> N ➤ Accounts for range of soil particle sizes (distribution, erosivity and cohesiveness) <input checked="" type="checkbox"/> Y/ <input type="checkbox"/> N ➤ Directs discharge to vegetated areas to increase sediment removal and infiltration unless infeasible Y/N/ <input type="checkbox"/> NA ➤ Uses velocity dissipation, if necessary Y/N/ <input type="checkbox"/> NA ➤ Complies with State of New Mexico except Indian country requirements: <ul style="list-style-type: none"> ○ Includes site-specific BMPs/controls designed to prevent to the maximum extent practicable an increase in sediment yield/flow velocity from pre-construction, pre-development conditions both during and after 	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	

<p>construction <input checked="" type="checkbox"/>/N</p> <ul style="list-style-type: none"> ○ Selection based on appropriate soil loss prediction models (results in sediment yields/flow velocities, that to the maximum extent practicable, will not be greater than the sediment yield levels and flow velocities from pre-construction, pre-development conditions) <input checked="" type="checkbox"/>/N <p>Parts 2.1.1.2, 9.4.1.1</p>			
<p>Describes erosion and sediment control installation requirements?</p> <ul style="list-style-type: none"> ➤ Completes installation of downgradient stormwater/sediment controls by the time or immediately following earth-disturbance begins unless infeasible <input checked="" type="checkbox"/>/N/NA ➤ Installs all other controls and makes operational as soon as conditions allow <input checked="" type="checkbox"/>/N ➤ Uses good engineering practices and follows manufacturer's specifications or explain departures <input checked="" type="checkbox"/>/N <p>Part 2.1.1.3</p>	<input checked="" type="checkbox"/>	N	
<p>Describes erosion and sediment control maintenance requirements?</p> <ul style="list-style-type: none"> ➤ Initiates fix immediately and completed by close of next work day (routine maintenance) <input checked="" type="checkbox"/>/N ➤ Installs new measure/significant repair no later than 7 calendar days or document why infeasible <input checked="" type="checkbox"/>/N <p>Part 2.1.1.4</p>	<input checked="" type="checkbox"/>	N	
<p>Installs perimeter controls and describes maintenance (removes sediment before it has accumulated to 1/2 of the above-ground height)?</p> <p>Part 2.1.2.2</p>	<input checked="" type="checkbox"/>	N	
<p>Minimizes sediment track-out?</p> <ul style="list-style-type: none"> ➤ Restricts vehicle use to properly designated exit points? <input checked="" type="checkbox"/>/N ➤ Uses appropriate stabilization techniques at all points that exit onto paved roads? <input checked="" type="checkbox"/>/N ➤ Where necessary, uses additional measures to remove sediment prior to exit? Y/N/<input checked="" type="checkbox"/>NA ➤ Removes tracked out sediment prior to the end of the same work day or if occurs on non-work day the next work day? <input checked="" type="checkbox"/>/N <p>Part 2.1.2.3</p>	<input checked="" type="checkbox"/>	N	
<p>Controls discharges from stockpiled sediment or soil?</p> <ul style="list-style-type: none"> ➤ Locates piles outside of buffers Y/N ➤ Locates piles separate from stormwater controls Y/N ➤ Uses temporary sediment barrier Y/N ➤ Where practicable, provides cover or 	Y	N	N/A

<p>temporary stabilization Y/N</p> <ul style="list-style-type: none"> ➤ Does not hose down or sweep into stormwater conveyance unless connected to basin, trap, etc. Y/N ➤ Contains and securely protects pile from wind? Y/N <p>Part 2.1.2.4</p>			
<p>Minimizes <u>dust</u>?</p> <p>Part 2.1.2.5</p>	<input checked="" type="checkbox"/>	N	
<p>Minimizes disturbance of <u>steep slopes</u>?</p> <p>Part 2.1.2.6</p>	Y	N	N/A
<p>Preserves <u>topsoil</u>, unless infeasible?</p> <p>Part 2.1.2.7</p>	Y	N	N/A
<p>Minimizes <u>soil compaction</u> where final vegetative stabilization or infiltration installed?</p> <p>Part 2.1.2.8</p>	Y	<input checked="" type="checkbox"/>	
<p>Protects <u>storm drain inlets</u> and describes maintenance requirements (removes sediment by the end of the same work day or end of the following work day)?</p> <p>Part 2.1.2.9</p>	Y	<input checked="" type="checkbox"/>	
<p>Describes <u>constructed conveyance channel controls</u> (if installed)?</p> <p>Part 2.1.3.1</p>	Y	N	N/A
<p>Describes <u>sediment basin</u> design (if installed) and maintenance (maintain at least ½ of capacity at all times)?</p> <p>Part 2.1.3.2</p>	Y	N	N/A
<p>Describes <u>treatment chemical</u> controls (if used)?</p> <p>Part 2.1.3.3</p>	Y	N	N/A
<p>Includes documentation for use of <u>treatment chemicals</u> (polymers, flocculants, or other treatment chemicals)?</p> <ul style="list-style-type: none"> ➤ Lists all soil types expected to be exposed and locations where chemicals will be applied. Also include a list of soil types expected to be found in fill material to be used in same areas Y/N ➤ Lists all treatment chemicals and why the selection of these chemicals is suited to the soil characteristics Y/N ➤ If authorized by EPA to use cationic treatment chemicals, includes the specific controls and implementation procedures designed to ensure use of cationic treatment chemicals will not lead to a violation of water quality standards Y/N/NA ➤ Dosage/methodology to determine dosage Y/N ➤ Information from any applicable MSDS Y/N ➤ Schematic drawings of any chemically-enhanced or chemical treatment systems Y/N/NA ➤ Description of how chemicals will be stored Y/N 	Y	N	N/A

<ul style="list-style-type: none"> ➤ References to applicable state or local requirements and copies of applicable manufacturer's specifications Y/N ➤ Description of training that personnel have received or will receive Y/N <p><i>Parts 7.2.10.2, 2.1.3.3h</i></p>			
<p>Describes dewatering controls (if installed)? <i>Part 2.1.3.4</i></p>	Y	N	N/A
Stabilization Requirements		Notes:	
<p>Describes compliance with deadlines for vegetative and/or non-vegetative stabilization practices, including exceptions? <u>Deadline to Initiate</u></p> <ul style="list-style-type: none"> ➤ Initiates stabilization immediately (no later than end of next work day following earth-disturbing activities permanently/temporarily ceased) <input checked="" type="checkbox"/>/N <p><u>Deadline to Complete</u></p> <ul style="list-style-type: none"> ➤ As soon as practicable, but no later 14 calendar days after initiation, completes stabilization (for vegetative, all activities to initially seed or plant, and/or for non-vegetative, installation or application) <input checked="" type="checkbox"/>/N ➤ In arid, semi-arid or drought-stricken areas for permanent stabilization, immediately initiates, and within 14 calendar days completes non-vegetative stabilization measures to prevent erosion; and as soon as practicable completes all activities necessary to initially seed or plant; and documents beginning/ending dates of the seasonally dry period, site conditions, and schedule <input checked="" type="checkbox"/>/N/NA ➤ Documents/describes circumstances beyond control that prevent meeting deadlines Y/N/<input checked="" type="checkbox"/>NA ➤ If discharging to sediment or nutrient-impaired waters or Tier 2, 2.5 or 3 waters, completes stabilization (vegetative or non-vegetative) within 7 calendar days after temporary or permanent cessation Y/N/<input checked="" type="checkbox"/>NA <p><i>Parts 7.2.10.3, 2.2.1, 3, 9.4.1.3</i></p>	<input checked="" type="checkbox"/>	N	The site has not entered a phase of the project where stabilization is needed as of the time of this inspection.
<p>Describes compliance with vegetative (final) stabilization criteria?</p> <ul style="list-style-type: none"> ➤ Provides uniform vegetation (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for all unpaved areas / areas not covered by permanent structures <input checked="" type="checkbox"/>/N ➤ Immediately after seeding or planting the area to be vegetatively stabilized, to the extent necessary to prevent erosion on the seeded or planted area, select, design, and install non-vegetative erosion controls that provide cover while vegetation is becoming 	<input checked="" type="checkbox"/>	N	

established <input checked="" type="checkbox"/> /N <i>Parts 7.2.10.3, 2.2.2.a, 3, 9.4.1.4</i>			
If applicable, describes compliance with State of New Mexico, except Indian country, arid, semi-arid areas, or drought stricken option for final stabilization: <ul style="list-style-type: none"> ➤ Area seeded/planted must w/3 yrs provides established vegetation that achieves 70% of the native background vegetative cover <input checked="" type="checkbox"/>/N ➤ Selects, designs, and installs non-vegetative erosion controls that provide cover for at least 3 years without active maintenance <input checked="" type="checkbox"/>/N ➤ Complies with notification, inspection maintenance, and reporting) <input checked="" type="checkbox"/>/N <i>Parts 7.2.10.3, 2.2.2.b, 3, 9.4.1.5</i>	<input checked="" type="checkbox"/>	N	
If using, provides effective non-vegetative cover to stabilize? <i>Parts 7.2.10.3, 2.2.2.2</i>	Y	N	N/A
Pollution Prevention Procedures		Notes:	
Describes procedures for <u>spill prevention and response</u>? <i>Parts 7.2.11.1, 2.3.4</i>	<input checked="" type="checkbox"/>	N	
Describes procedures for <u>waste management</u>? <i>Part 7.2.11.2, 2.3.3.3</i>	<input checked="" type="checkbox"/>	N	
Eliminates prohibited discharges? <ul style="list-style-type: none"> ➤ Concrete washout, unless managed by control in Part 2.3.3.4 <input checked="" type="checkbox"/>/N ➤ Washout/cleanout of stucco, paint, form release oils, curing compounds and other materials unless managed by control in Part 2.3.3.4 <input checked="" type="checkbox"/>/N ➤ Fuels, oils or other from vehicle and equipment O&M <input checked="" type="checkbox"/>/N ➤ Soaps, solvents, or detergents used in vehicle and equipment washing Y/N/<input checked="" type="checkbox"/>NA ➤ Toxic or hazardous substances from spill/release <input checked="" type="checkbox"/>/N <i>Part 2.3.1</i>	<input checked="" type="checkbox"/>	N	There was no concrete work being done at the time of this inspection. There was evidence of other materials being washed out into the street from other home sites but it did not appear to be coming from the Hakes' Brothers sites.
Properly maintains and protects all pollution prevention controls? <i>Part 2.3.2</i>	Y	<input checked="" type="checkbox"/> N	
Complies with pollution prevention standards for certain activities? <ul style="list-style-type: none"> ➤ Fueling/maintenance of equipment or vehicles <input checked="" type="checkbox"/>/N/NA ➤ Washing of equipment and vehicles Y/N/<input checked="" type="checkbox"/>NA ➤ Storage, handling, disposal of materials, products and waste <input checked="" type="checkbox"/>/N/NA ➤ Washing applicators/containers <input checked="" type="checkbox"/>/N/NA <i>Part 2.3.3</i>	<input checked="" type="checkbox"/>	N	
Minimizes discharge/complies with restrictions of <u>fertilizer application</u>? <i>Part 2.3.5</i>	Y	N	N/A

Inspections and Corrective Action			
<p>SWPPP describes procedures for inspection, maintenance, and corrective action?</p> <ul style="list-style-type: none"> ➤ Personnel conducting inspections <input checked="" type="checkbox"/> Y/N ➤ Inspection schedule <input checked="" type="checkbox"/> Y/N ➤ Reduction of inspection frequency Y/N/<input type="checkbox"/> NA. As applicable: <ul style="list-style-type: none"> ○ location of the rain gauge or the address of weather station to obtain rainfall data Y/N/NA ○ beginning and ending dates of the seasonally-defined arid period for your area or the valid period of drought Y/N/NA ○ beginning and ending dates of frozen conditions Y/N/NA ➤ Inspection or maintenance checklists or other forms that will be used <input checked="" type="checkbox"/> Y/N <p><i>Parts 7.2.12</i></p>	Y	N	<p>However, the SWPPP describes a 14 day inspection schedule. Because the Las Cruces MS4 discharges to a Tier 2 water (Rio Grande in segment 20.6.4.101 NMAC), a 7 day inspection schedule is required.</p>
Inspections	Notes:		
<p>Inspections performed by "qualified" person?</p> <p><i>Part 4.1.1</i></p>	Y	<input type="checkbox"/> N	
<p>Conducts inspections at a minimum of required frequency unless reductions documented?</p> <ul style="list-style-type: none"> ➤ Every 7 days <u>or</u> 14 days & w/in 24 hrs of a 0.25" rain event Y/N <p><i>Part 4.1.2</i></p>	Y	<input type="checkbox"/> N	<p>No on-site inspections had been conducted/documentated at the time of this inspection.</p>
<p>If applicable, conducts increased inspection frequency for sites with discharges to sediment or nutrient-impaired waters or Tier 2-5 or 3 waters:</p> <ul style="list-style-type: none"> ➤ Once every 7 days Y/N; <u>and</u> ➤ Within 24 hrs of a ≥ 0.25" rain event Y/N? <p><i>Parts 4.1.3, 3.3.2.1, 3.3.2</i></p>	Y	<input type="checkbox"/> N	
<p>If allowable (begin/end dates recorded), documents reduced inspection frequency?</p> <ul style="list-style-type: none"> ➤ Stabilized area - 1/mo in areas where stabilization has been completed Y/N/NA ➤ For arid/semi arid during seasonally dry period or drought-stricken areas - 1/mo and wi/24 hrs of the occurrence of a storm event ≥ 0.25" Y/N/NA ➤ For frozen conditions (runoff unlikely, disturbance suspended, areas stabilized) - suspends until thawing conditions Y/N/NA <p><i>Part 4.1.4.1 thru 3</i></p>	Y	<input type="checkbox"/> N	
<p>Inspection areas includes:</p> <ul style="list-style-type: none"> ➤ All cleared, graded, excavated, and not completed stabilization Y/N ➤ All controls/measures Y/N ➤ Material/waste/borrow/equipment storage and maintenance areas Y/N ➤ All areas stormwater typically flows Y/N ➤ All points of discharge Y/N 	Y	<input type="checkbox"/> N	

<ul style="list-style-type: none"> ➤ All locations stabilization implemented Y/N/NA <p><i>Part 4.1.5</i></p>			
<p>Inspection includes minimum requirements?</p> <ul style="list-style-type: none"> ➤ Controls installed/operational Y/N ➤ Determines need to replace, repair, or maintain Y/N ➤ Conditions that could lead to spills, leaks, and accumulations of pollutants Y/N ➤ Identifies where new or modified controls are necessary Y/N ➤ At points of discharge, checks for visible erosion/sedimentation on banks Y/N/NA ➤ Identifies noncompliance Y/N ➤ If discharge is occurring: <ul style="list-style-type: none"> ○ Identifies all points of discharge Y/N ○ Observes/documents visual quality, including color, odor, floating, settled, or suspended solids, foam, oil sheen, and other of pollutants Y/N ○ Documents whether controls operating effectively, and describes controls not operating as intended or need maintenance Y/N ➤ Based on results of inspection, initiates corrective action under Part 5. <p><i>Part 4.1.6</i></p>	Y	<input type="checkbox"/> N	
<p>Inspection reports:</p> <ul style="list-style-type: none"> ➤ Completed within 24 hrs Y/N ➤ Includes inspection date Y/N ➤ Includes names/titles of personnel Y/N ➤ Includes summary of findings Y/N ➤ Includes applicable rain gauge reading Y/N/NA ➤ Signed and certified in accordance with Appendix I.11 Y/N <p><i>Part 4.1.7.1 and 2</i></p>	Y	<input type="checkbox"/> N	

Corrective Action			Notes:
<p>Corrective action initiated immediately; and permanent solution completed no later than 7 calendar days from the time of discovery or if infeasible as soon as practicable?</p> <p><i>Part 5</i></p>	Y	<input type="checkbox"/> N	No documentation that corrective action was needed and/or initiated.
<p>Within 24 hours of discovering the occurrence, completes a report of the following:</p> <ul style="list-style-type: none"> ➤ Condition identified Y/N ➤ Nature of the condition identified Y/N ➤ Date and time of the condition identified and how it was identified Y/N <p><i>Part 5.4</i></p>	Y	<input type="checkbox"/> N	
<p>Within 7 calendar days of discovering the occurrence, completes a report of the following:</p> <ul style="list-style-type: none"> ➤ Follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred Y/N ➤ Summary of stormwater control modifications taken or to be taken Y/N ➤ Schedule of activities necessary to implement changes Y/N ➤ Date the modifications are completed or expected to be completed Y/N ➤ Notice of whether SWPPP modifications are required as a result of the condition identified or corrective action Y/N ➤ Signed and certified in accordance with Appendix I.11 Y/N <p><i>Parts 5.4.2, 5.4.3</i></p>	Y	<input type="checkbox"/> N	

Additional Notes on SWPPP Review (optional)

This construction site was originally a large 47 acre subdivision originally developed by the Brightview Land Company. According to EPA's CGP database, Brightview obtained a Low Erosivity Waiver (NMLEW for construction of an 18" sanitary sewer interceptor in 2005, but did not obtain other coverage.

As of the time of this inspection, the subdivision had been developed with infrastructure (sewer, streets, storm drains, etc.) and home construction was occurring. Individual homebuilders were working on specific lots they had purchased from the developer. In the Hakes' Brothers case, they had purchased various lots from Don Evans (three of which were actively under construction at the time of this inspection). According to EPA's databases, Mr. Evans also did not obtain permit coverage for the lots he owned.

The Notice of Intent was not posted in a publicly accessible location at any of the home sites under construction. The SWPPP had not been implemented during construction. The plan had not been signed, no inspections had been performed/documented, and no staff or subcontractor training had been done with respect to this permit and its requirements.

The NOI indicated the site was eligible for permit coverage in accordance with Criterion A under the Endangered Species Act requirements. However, there was no documentation to support this determination in the SWPPP. It may have been more appropriate to certify Criterion C, which states that compliance with the requirements of this permit will ensure that no harmful discharges will be sent to the action area for endangered species in this area.

Implementation (complete in field) <i>(Narrative Description if Control Measures Installed, Operational, Effective and Maintained)</i>	
Erosion and Sediment Control Practices Part 2.1	
Minimize area of disturbance:	<i>(Provide brief description)</i> Not evident. Homes being constructed take up most of the lot that is being worked.
Buffer compliance:	<i>(e.g., provide and maintain a 50-foot undisturbed natural buffer)</i> N/A
Perimeter controls:	<i>(e.g., filter berms, silt fences, temporary diversion dikes)</i> No perimeter controls in place.
Exit point or sediment track out:	<i>(e.g., aggregate stone with an underlying geotextile or non-woven filter fabric, or turf mats, wheel washing, rumble strips, plates, sweeping)</i> No exit points had been constructed. There were curbing berms (concrete) around each house. It did not appear that there was a track out issue from these specific homes.
Stockpiled sediment or soil:	<i>(e.g., berms, dikes, fiber rolls, silt fences, sandbag, gravel bags)</i> N/A
Minimize dust:	<i>(e.g., application of water or other dust suppression techniques)</i> Not evident.
Steep slopes:	<i>(e.g., standard erosion and sediment control practices, phasing disturbances, stabilization practices)</i> N/A
Preserve topsoil:	<i>(e.g., stockpiling or transfer of topsoil to other locations)</i> N/A
Soil compaction:	<i>(e.g., restrict vehicle / equipment use, soil conditioning techniques)</i> N/A infeasible for small lot home construction.
Storm drain inlet protection:	<i>(e.g., fabric filters, sandbags, concrete blocks, gravel barriers)</i> None noted.
Conveyance channels:	<i>(e.g., erosion controls, and velocity dissipation check dams, sediment traps, riprap, or grouted riprap at outlets)</i> N/A
Sediment basin:	<i>(e.g., outlet structures that withdraw from the surface, stabilization, erosion controls, velocity dissipation, kept at least ½ design capacity)</i> N/A

Erosion and Sediment Control Practices - Continued	
Treatment chemicals:	<i>(e.g., spill berms, decks, spill containment pallets, storing chemicals in covered area, spill kit available on site)</i> N/A
Dewatering:	<i>(e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems (e.g., bag or sand filters) designed to remove sediment)</i> N/A
Other erosion and sediment controls or practices:	<i>(Provide brief description)</i> N/A
Stabilization Practices Part 2.2	
Stabilization:	<i>(e.g., soil conditioning, application of seed or sod, planting of seedlings or other vegetation, application of fertilizer, watering, mulch, rolled erosion control products, control blankets, riprap, gabions, geotextiles)</i> No stabilization had occurred at the time of this inspection (homes were still being constructed/actively worked.)
Are stabilization measures initiated immediately? Y/N Are they completed within 14 days of construction cessation? Y/N	<i>(e.g. indicate "yes" or "no"; if not within 14 days of construction cessation, how long without stabilization measures?)</i> N/A
Pollution Prevention Measures Part 2.3	
Fueling and maintenance of vehicles:	<i>(e.g., locating activities away from surface waters and stormwater inlets or conveyances, providing secondary containment (e.g., spill berms, decks, spill containment pallets) and cover where appropriate, and/or having spill kits readily available)</i> No onsite fueling occurs at this site. No maintenance of vehicles or equipment occurs on site either.
Washing equipment & vehicles:	<i>(e.g., locating activities away from surface waters, stormwater, inlets, conveyances, sediment basin or sediment trap, using filtration devices, such as filter bags or sand filters, plastic sheeting, temporary roofs)</i> N/A
Washing applicators/containers (e.g., stucco, paint, concrete, form release oils, curing compounds, and other construction materials)	<i>(e.g., leak-proof container or pit, locate as far away as possible from surface waters, inlets or conveyances, designate areas)</i> None noted on site although some stucco/paint work was occurring on one of the houses.
Pollution Prevention Measures – Continued	
Storage, handling, disposal of construction materials, products and waste:	<i>Building products (e.g., asphalt sealants, copper flashing, roofing materials, adhesives, concrete admixtures):</i> Products are stored inside the houses under construction.

	<i>Pesticides, herbicides, insecticides, fertilizers, and landscape materials:</i> N/A
	<i>Diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals:</i> N/A
	<i>Hazardous or toxic waste (e.g. paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids):</i> Stored indoors.
	<i>Construction and domestic waste (e.g., packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, styrofoam, concrete, and other trash or building materials):</i> There was a fair amount of construction waste that had been left on the ground at the time of this inspection. Permittee's representative indicated that occasional (weekly) trash pickups are conducted.
	<i>Sanitary waste:</i> Portable toilets were located on site.
Fertilizer application:	<i>(e.g., avoids applying before heavy rains, never applies to frozen ground, never applies to conveyance channels with flowing water)</i> N/A
Miscellaneous	
Evidence of not allowable non-storm water discharges or prohibited discharge?	<i>(Provide brief description and determine whether any non-storm water discharges allowable)</i> No not allowable non-stormwater discharges were noted from these specific home building sites on the day of this inspection.
Evidence of sediment deposition to surface waters or MS4?	<i>(e.g. significant turbidity observed in a receiving water body)</i> None observed.