

**Appendix C: Suggested Notice of Intent Format**

EPA suggests using the following format as an attachment to a cover letter to submit the Notice of Intent information required under Part 3.2 of the permit.

1. Legal Name of the MS4 Operator: New Mexico Department of Transportation  
Mailing address: 2912 E. Pine  
Deming, N.M. 89030

Contact Person Paul F. Little  
Telephone Number 575-544-6530

2. Operator is a  Federal  State  Tribal  other public entity (check one)

3. The MS4 is located in the Las Cruces <sup>NMR04L005 Spec.</sup> urbanized area or  
\_\_\_\_\_ core municipality or Indian reservation/pueblo (if not  
located in an urbanized area);  
in Doña Ana county(ies),  
and the latitude and longitude of the approximate center of the small MS4 is  
32° 18' N 106° 47' W

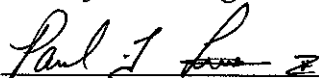
4. The major receiving water(s) are Rio Grande.  
Does the MS4 discharge to any waters for which an TMDL applicable to discharges from  
the MS4 has been approved  Yes  No  N/A? (See Part 1.4.8)

5. The MS4 \_\_\_\_\_ is \_\_\_\_\_ is not  is partially located on Indian Country lands. If so, the  
Indian Country Lands include the following \_\_\_\_\_  
(NOTE: MS4s straddling State and Indian Country land boundaries will be issued  
authorization under all applicable permits and may have additional State or Tribal-  
specific requirements applicable to different areas of the MS4 - see Part 8)

6. If the MS4 operator is relying on another governmental entity to satisfy one or more  
permit obligations (see Part 5.4), the identity of that entity(ies) and the element(s) the  
entity(ies) will be implementing  N/A  Required information attached

7. A description of the storm water management program (SWMP), including best  
management practices (BMPs) that will be implemented and the measurable goals for  
each of the storm water minimum control measures specified in Part 5.2 of this permit,  
the month and year in which the MS4 operator will start and fully implement each of the  
minimum control measures or the frequency of the action, the name of the person(s) or  
position(s) responsible for implementing or coordinating the SWMP, and the supporting  
documentation required by Parts 1.5 and 1.6. is attached.

8. *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.*

Signed:  Date: 4.16.08  
Printed Name Paul Little

*Note: Collection of Notice of Intent information required under 40 CFR 122.33(b)(1) is covered under Paperwork Reduction Act Information Collection Request # 1820.03, OMB NO.: 2040-0211, Expiration Date: 06/30/2006*

#### Attachments

1. Description of the storm water management program (SWMP), including best management practices (BMPs) that will be implemented and the associated measurable goals.
2. Summary of issues raised in any local public comments received by the MS4 Operator on the draft NOI/SWMP and MS4 operator's responses.
3. Description of how the Part 1.5 eligibility criteria for listed species and critical habitat have been met (see Part 1.5 and Appendix A)
4. Description of how the Part 1.6 eligibility criteria for historic properties have been met (see Part 1.6 and Appendix B).
5. If the MS4 discharges to a receiving water for which EPA has approved or developed a TMDL, describe how the eligibility requirements of Part 1.4.6 have been met.

**Appendix D: Suggested Annual Report Format**

EPA suggests using the following format to submit the Notice of Intent information required under Part 5.8 of the permit.

**MS4 ANNUAL REPORT**

Check box if this is a new name, address, etc.

**A. PERMITTEE INFORMATION**

Permit Number: NMB04 L 005

Permittee: New Mexico Department of Transportation

Mailing Address: 2912 E. Pine

City, State and Zip Code: Deming, N.M. 88030

Phone Number: 575-544-6530

Have any areas been added to the MS4 due to annexation or other legal means?  YES  NO  
If YES, include updated map.

**B. REPORTING PERIOD** April 2006 to April 2007

**C. PROGRAM AREAS (ATTACHMENTS)**

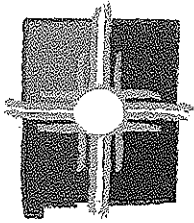
As an attachment, address each of the following items for **each** of the six program areas (public education, public participation/involvement, illicit discharge detection and elimination, construction, post-construction, and good housekeeping for municipal operations). The status of each program area must be addressed, even if the program area was completed and fully implemented in a previous reporting year. *Help on the items is included in italics.*

If another entity does not have its own permit but is instead covered under your permit, the Annual Report information under Section C must also be provided for each such entity. (Depending on the size of the MS4 and the complexity of the programs, the attachments for this section will likely comprise 1 to 5 pages per program area.)

**1. Implementation status.**

a. General summary

b. Program elements changed or refined since previous report or permit application.  
*Include a summary of any changes made in accordance with Part 5.5 of the permit.*



*New Mexico* DEPARTMENT OF  
**TRANSPORTATION**  
MOBILITY FOR EVERYONE

April 16, 2008

**RE: Las Cruces Municipal Separate Storm Sewer Permit No.: NMR04L005;  
New Mexico Department of Transportation, Annual Expenditures** ✓

In 2007 the New Mexico Department of Transportation expended approximately \$43,000 for contracted night time sweeping operations, \$200,000 for weed and litter pickup, and \$100,000 for contracted culvert cleaning in the Las Cruces Metropolitan Area.

In addition, approximately \$150,000 was expended by the District Office of the Department of Transportation for in-house erosion control activities, including the construction of numerous major erosion control/bank stabilization projects.

The NMDOT also continues to participate in the "Rio the Duck/Storm Water Team" partnership with numerous other agencies to practice and promote public outreach and education through various media outlets to include major television ads.

The District One Maintenance Section consistently looks for ways to improve operations and is currently utilizing existing contracts for litter pick-up operations through partnerships with the Dona Ana County Judicial system to utilize corrections inmate workers during the work week on state roadways.

**Bill Richardson**  
Governor

**Rhonda G. Faught P.E.**  
Cabinet Secretary

Commission

**Johnny Cope**  
Chairman  
District 2

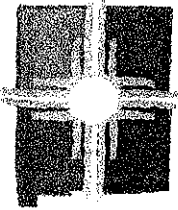
**David Schutz**  
Vice Chairman  
District 5

**Gregory T. Ortiz**  
Secretary  
District 6

**Norman Assed**  
Commissioner  
District 3

**Jim Franken**  
Commissioner  
District 4

**John L. Hummer**  
Commissioner  
District 1



**NEW MEXICO** DEPARTMENT OF  
**TRANSPORTATION**  
MOBILITY FOR EVERYONE

*Dist 1, 3 & 5*  
*original file in*  
**GENERAL**  
**DIST 1** ←  
**DIST 3**  
**DIST 5**

6WQ-P  
MAR 17 2008  
RECEIVED

March 14, 2008

Environmental Protection Agency, Region 6  
Water Quality Protection Division  
Attn: Syed A. Shahriyar (6WQ-PP)  
Suite 1200  
1445 Ross Avenue  
Dallas, TX 75202-2733

**SUBJECT: NMDOT, STATUS OF PHASE II MS4 PERMIT**

Dear Mr. Shahriyar:

As per our phone conversation of March 11, 2008, I am sending you this letter as a confirmation that the NMDOT is proceeding ahead to submit you a Phase II MS4 Permit posthaste.

As you already have our Storm Water Management Plan (SWMP). We are proceeding with obtaining signed NOI's from the three Districts, 1, 3 and 5 which will be under this permit.

Description of the Storm Water Management Plan including Best Management Practices (BMPs) that will be implemented have already been completed by Districts 1, 3, and 5. Public participation will be documented soon by these Districts.

I am working with our Environmental Bureau to address listed species, critical habitat and historic properties. I am also, working with the New Mexico Environmental Department (NMED) to obtain TMDLs on any impaired waters in these areas.

Enclosed is the sheet showing the urbanized areas of the Phase II permittees and tracking numbers. If you have any questions, please call me at 505 827-6854.

Sincerely,

*Steven M. Zeiger*

Steven M. Zeiger, P.E.  
Drainage Development Engineer

xc: Raymunda Van Hoven  
Reza Afaghpour

**Bill Richardson**  
Governor

**Rhonda G. Faught P.E.**  
Cabinet Secretary

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Vice Chairman  
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Commissioner  
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**John Hummer**  
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