

**DOÑA ANA COUNTY**  
**NPDES SMALL MS4 ANNUAL REPORT**  
**SEPTEMBER 2012**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2011 – JUNE 30, 2012**

**COMPLIANCE SUMMARY**





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## 1.0 INTRODUCTION

Doña Ana County is the operator of a Small Municipal Separate Storm Sewer System (MS4), as defined in the NPDES General Permit for Discharges from Small MS4s. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA. The purpose of the report is to document the County's status of compliance with permit conditions and its progress towards meeting the goals of the SWMP. The report is due to the EPA by October 1<sup>st</sup> of each year.

Doña Ana County, with assistance from Martich Professional Services, PLLC, prepared this report to satisfy the permit's reporting requirement for the permit year of July 1, 2011 through June 30, 2012, also called the fifth permit year (Year 5). The County is not relying on another government entity to satisfy any of its permit requirements. The report was organized according to guidance provided by Ms. Thea Lomax, Storm Water Enforcement, EPA Region 6, at EPA Region 6's 12<sup>th</sup> Annual MS4 Operators Conference in Santa Fe, NM on June 25, 2010.

This document, **Compliance Summary**, is the first part of the report. The entire report consists of the following documents placed on compact disks (except the certification) for submission to the EPA:

- Report Certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

For purposes of posting the report online and binding the report for public review, the report documents will be in modules under the above titles.

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007
Point of Contact:	Henry K. Corneles, PE, Engineer Supervisor
Phone Number:	575-525-6162
Fax Number:	575-525-6179
E-mail:	henryco@donaanacounty.org

The parts of Doña Ana County's MS4 that are authorized to discharge storm water under the NPDES General Permit for Small MS4s are located in the unincorporated portions of the Las Cruces and El Paso Urbanized Areas. These portions of the urbanized areas include the Census Designated Places of Doña Ana, Santa Teresa, and Berino. There have been no changes to the boundary of the MS4.



### **3.0 COMPLIANCE STATUS**

During the past year, Doña Ana County submitted its 2011 Small MS4 Annual Report to the EPA. The County received no comments from the EPA. The County continues to implement its SWMP as scheduled.

During the fifth permit year, Doña Ana County had no discharges that violated the conditions of its authorization under the NPDES General Permit for small MS4s. The County is in compliance with the conditions of the permit at the time of this report.

### **3.1 POLLUTANT REDUCTION GOALS AND SCHEDULE**

The County's SWMP is designed to achieve the statutory goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). The EPA has defined MEP for a Small MS4 to be effectively implementing six Minimum Control Measures (MCMs). The six MCMs are:

- Public Education and Outreach on Storm Water Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post-Construction Storm Water Management in New Development and Redevelopment
- Pollution Prevention/Good Housekeeping for Municipal Operations

Effective implementation is defined by accomplishing measurable goals for each of the MCMs. Tables 1 – 6 summarize the County's progress toward achieving the measurable goals this past year (permit year five). The tables also contain a schedule of activities planned for next year (permit continuation). A full assessment of the BMPs and their effectiveness is in the MCM sections of the annual report.



**Table 1. Public Education and Outreach**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
1-1	Public Education with Printed Material	Engineering	Develop or obtain one educational item and track distribution	Completed	Develop or obtain one educational item and track distribution
1-2	Public Education by Radio	Public Information	Quarterly address storm water issues on a County radio show Broadcast two PSAs in Spanish	Completed Delayed	Quarterly address storm water issues on a County radio show Broadcast two PSAs in Spanish
1-3	Storm Water Mgmt Webpage	Public Information	Review and update the webpage, and track the number of "hits"	Completed	Review and update the webpage, and track the number of "hits"
1-4	Pollution Prevention Information for Animal Owners	Engineering and Sheriff's Office/Animal Control	Develop fact sheet or brochure, and track distribution	Completed	Track distribution
1-5	Pollution Prevention Information for Auto Repair Shops and Recyclers	Engineering and Comm. Dev.	Develop fact sheet or brochure, and track distribution to new businesses	Delayed	Develop fact sheet or brochure, and track distribution to new businesses
1-6	Pet Waste Signs at Parks	Facilities & Parks	Install signs at 4 parks, 2 for 2012 and 2 to make up for 2011	Completed	Install signs at two parks
1-7	Elementary School Presentations with City of Las Cruces	Engineering	Meet with the City of Las Cruces and discuss opportunities to assist with presentations	Delayed	Proposed change: develop and distribute storm water information kits to children
1-8	Watershed-based Education on Bacteria Sources	Engineering	Participate in a minimum of four Paso Del Norte Council's activities for its Section 319(h) Watershed Restoration Grant	Completed	Participate in a minimum of four activities of the Paso Del Norte Watershed Council
1-9	Outreach to Gadsden ISD	Engineering	Determine feasibility of a storm water outreach program for the Gadsden ISD	Delayed	Proposed change: combine with BMP 1-7



**Table 2. Public Involvement/Participation**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
2-1	Presentations to the Board of County Commissioners (BOCC)	Engineering	Present the 2010-2011 Annual Report to the BOCC	Delayed	Present the 2011-2012 Annual Report to the BOCC
2-2	NOI and SWMP on Storm Water Webpage	Public Information	Add link to 2010 and 2011 Annual Reports	In-Progress	Add link to 2010, 2011 and 2012 Annual Reports
2-3	Webpage Comment Form for the SWMP	Public Information	Track number of forms received and the County's response	Completed	Track number of forms received and the County's response
2-4	Maintain a Copy of the NOI and SWMP for Public Viewing	Engineering	Place a copy of the 2011 annual report with the SWMP for public viewing	Completed	Place a copy of the 2012 annual report with the SWMP for public viewing
2-5	Public Comment Log	Engineering	Continue to maintain the record	Completed	Continue to maintain the record
2-6	Storm Water Pollution Report Line	Engineering, Utilities and Sheriff's Office/Codes	Establish procedures for documenting, tracking, processing, and responding to the calls; track number and types of calls	In-Progress	Establish procedures for documenting, tracking, processing, and responding to the calls; track number and types of calls
2-7	Volunteer Cleanup Activities	Engineering, Utilities and Sheriff's Office/Codes	Track the number of cleanup activities and amount of trash collected	Completed	Track the number of cleanup activities and amount of trash collected



**Table 3. Illicit Discharge Detection and Elimination**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
3-1	Public Information on Trash and HHW Disposal	Public Information	Track distribution	Completed	Track distribution
3-2	HHW Disposal Guidance on the Website	Public Information	Maintain information about HHW disposal on website, and track number of "hits"	Completed	Maintain information about HHW disposal on website, and track number of "hits"
3-3	Illegal Dumping Enforcement	Sheriff's Office/Codes	Track number of citations issued	Completed	Track number of citations issued
3-4	Storm Water Management Ordinance	Engineering and Sheriff's Office/Codes	Track illicit discharge enforcement actions	Completed	Track illicit discharge enforcement actions
3-5	Illicit Discharge Training	Engineering, Sheriff's Office and Comm. Dev.	Train illicit discharge inspectors	Completed	Train any new Code Enforcement Officers hired by the County
3-6	Wastewater Collection for Areas with On-site Systems	Utilities	Maintain a five year Infrastructure CIP, and track the number of lots with existing structures that are connected to sewer in the urbanized area	Completed	Maintain a five year Infrastructure CIP, and track the number of lots with existing structures that are connected to sewer in the urbanized area
3-7	MS4 Map	Comm. Dev./G.I.S.	Map additional outfalls in the urbanized areas as they are found or constructed	Completed	Map additional outfalls in the urbanized areas as they are found or constructed
3-8	Dry Weather Outfall Screening	Engineering	Screen new outfalls in urbanized areas	Completed	Screen new outfalls in urbanized areas



**Table 4. Construction Site Storm Water Runoff Control**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
4-1	Construction Waste Enforcement under the Solid Waste Ordinance	Comm. Dev.	No activity scheduled	Not applicable	No activity scheduled
4-2	Construction Plan Review	Engineering and Comm. Dev.	No activity scheduled	Not applicable	No activity scheduled
4-3	Storm Water Management Ordinance	Engineering and Comm. Dev.	Track construction enforcement actions	Completed	Track construction enforcement actions
4-4	SWPPP and BMP Training for Plan Reviewers	Engineering	Train new reviewers	Completed	Train new reviewers
4-5	Erosion and Sediment Control Training for Inspectors	Engineering and Comm. Dev.	Develop a written SWPPP inspection protocol	Completed	Train new inspectors
4-6	SWPPP Review	Engineering and Comm. Dev.	Require County review and acceptance of SWPPP for regulated sites before issuing County permits	Completed	Require County review and acceptance of SWPPP for regulated sites
4-7	Construction Site SWPPP Inspections	Engineering and Comm. Dev.	Inspect regulated construction sites within the urbanized areas at least once during construction	In-Progress	Inspect regulated construction sites within the urbanized areas at least once during construction
4-8	Construction SWPPP Education	Engineering and Comm. Dev.	Develop hand-out of SWPPP requirements for contractors and developers; track distribution	Completed	Maintain hand-out of SWPPP requirements for contractors and developers; track distribution
4-9	Construction SWPPP Information on Webpage	Public Information	Maintain information on webpage, and track the number of "hits"	Completed	Maintain information on webpage, and track the number of "hits"



**Table 5. Post-Construction Storm Water Management**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
5-1	Vision 2040 Regional Plan	Comm. Dev.	Document activities related to One Valley, One Vision 2040	Completed	Document activities related to One Valley, One Vision 2040
5-2	Evaluation of Existing Ordinances	Comm. Dev. And Engineering	No activity scheduled	Not applicable	Prepare list of ordinance changes for post-construction BMPs
5-3	LID Information on Webpage	Public Information	Maintain information; track number of "hits"	Completed	Maintain information; track number of "hits"
5-4	LID Education	Comm. Dev. and Engineering	No activity scheduled	Not applicable	No activity scheduled
5-5	Post-Construction BMP Training for Plan Reviewers	Comm. Dev. and Engineering	Train new reviewers	Completed	Train new reviewers
5-6	Plan Review for Compliance with Development Design Standards	Comm. Dev. and Engineering	Review development plans in urbanized areas to verify they contain post-construction BMPs; track number and type of BMPs	Completed	Review development plans in urbanized areas to verify they contain post-construction BMPs; track number and type of BMPs
5-7	Construction Inspection for Compliance with Development Plans	Comm. Dev. and Engineering	Track number of inspections within urbanized areas	In-Progress	Track number of inspections within urbanized areas
5-8	Maintenance Agreement for Private Drainage Structures	Comm. Dev.	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas	Completed	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas
5-9	LID Principles in Designs for New County Facilities	Engineering	Include clause in service contracts that requires AEs to evaluate feasibility of LID features, and maintain list of LID features implemented	Completed	Maintain list of LID features implemented



**Table 6. Pollution Prevention/Good Housekeeping for Municipal Operations**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
6-1	Roadway Cleaning	Roads	Track lane miles swept within urbanized areas and amount of debris collected	Completed	Track lane miles swept within urbanized areas and amount of debris collected
6-2	Road Culvert Maintenance	Roads	Track number of culverts inspected in urbanized areas and amount of debris collected	Delayed	Track number of culverts inspected in urbanized areas and amount of debris collected
6-3	Storm Inlet/Outlet Maintenance	Roads	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed	Delayed	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed
6-4	Storm Drain Pipe Maintenance	Roads	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed	Delayed	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed
6-5	Waste Management	Roads	Develop written Standard Operating Procedures for storage, hauling and disposal of sediment/debris removed from streets/drainage system	Completed	Review Standard Operating Procedures and revise as needed
6-6	Licensing of County Applicators	Facilities & Parks	Limit pesticide/herbicide use to licensed applicators	Completed	Limit pesticide/herbicide use to licensed applicators
6-7	Xeriscaping	Facilities & Parks	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants	Completed	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants
6-8	Trash Pick-up at Park Facilities	Facilities & Parks	Maintain regular trash collection, and track the volume collected	Completed	Maintain regular trash collection, and track the volume collected
6-9	Spill Cleanup Kits	Fleet & Sheriff's Office	Maintain spill cleanup kit in each County maintenance facility	Completed	Maintain spill cleanup kit in each County maintenance facility
6-10	Drip Pan Usage	Fleet & Sheriff's Office	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities	Completed	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities



<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
6-11	Good Housekeeping for Vehicle Maint. Facilities	Fleet & Sheriff's Office	Revise Fleet's plan as needed for the new facility and based on results of BMP6-12  Complete plan for Sheriff's facility	In-Progress	Revise Fleet's plan as needed for the new facility and based on results of BMP6-12  Complete plan for Sheriff's facility
6-12	Inspection of Vehicle Maint. Facilities	Fleet & Sheriff's Office	Complete inspection form for Sheriff's facility; perform quarterly inspections	In-Progress	Complete inspection form for Sheriff's facility; perform quarterly inspections
6-13	Minimization of Material Exposure	Roads & Facilities & Parks	Update inventory of materials stored outside	In-Progress	Update inventory of materials stored outside
6-14	Good Housekeeping for County Operations	Roads & Facilities & Parks	Revise procedures as needed based on results of BMP6-13	Completed	Revise procedures as needed based on results of BMP6-13
6-15	Storm Water Pollution Prevention Training	Roads, Fac. & Parks, Utilities, Comm. Dev., and Sheriff's Office	Train all employees who work outside	Completed	Train all employees who work outside
6-16	Facility BMP Training	Fleet, Roads, Facilities & Parks, and Sheriff's Office	Maintain a training log-in sheet showing that employees who are responsible for implementing BMPs are trained annually	Fleet – Completed Other Departments – Delayed	Maintain a training log-in sheet showing that employees who are responsible for implementing BMPs are trained annually
6-17	SWPPPs for County Projects	Engineering, Flood Commission and Utilities	Develop, implement, and inspect SWPPPs for County projects covered by the CGP	Completed	Develop, implement, and inspect SWPPPs for County projects covered by the CGP
6-18	Water Quality Criteria for County Flood Control and Drainage Projects	Engineering and Flood Commission	Include requirement in engineering services contracts to do a downstream assessment for erosion potential and evaluate water quality improvements before design reaches 50%	Completed	Include requirement in engineering services contracts to do a downstream assessment for erosion potential and evaluate water quality improvements before design reaches 50%



### 3.2 TOTAL MAXIMUM DAILY LOADS

Portions of the County's MS4 discharge to the Main Stem of the Lower Rio Grande, which is on the State of New Mexico's Clean Water Act Section 303(d) list of impaired waters due to bacteria. On June 11, 2007, an EPA-Approved Total Maximum Daily Load (TMDL) was issued for the Main Stem of the Lower Rio Grande. The New Mexico Environment Department used the indicator organism *Escherichia coli* (*E. coli*) to establish the TMDL and Waste Load Allocations (WLA). The allocation for storm water discharges was based on the percent jurisdictional area approach, resulting in two percent of the WLA being allocated to Small MS4s.

The County's Monitoring/Assessment Plan for the SWMP includes collection of information on the level of bacteria in storm water discharges from the MS4. During the past year, the County evaluated sites for monitoring storm water discharges for *E. coli*. Two potential monitoring sites were identified. The first potential site is at a catch basin within the storm drainage system for Berino, NM. The drainage system discharges to the East Drain, which is operated by the Elephant Butte Irrigation District (EBID). The East Drain carries irrigation return flows to the Rio Grande. The second potential monitoring site is at the Tortugas drainage basin in Tortugas, NM. Overflows from the basin enter the Las Cruces Lateral, which conveys water from the Rio Grande for EBID.

During the past year, Doña Ana County also evaluated different types of sampling procedures for bacteria. The short hold time required by the analytical method (six hours) and the limited number of laboratories certified for *E. coli* presented challenges. The County currently believes automated samplers will be most effective in collecting samples in a timely manner. Since the United States Geological Survey (USGS) has experience sampling storm water runoff in New Mexico for bacteria analysis, the County has entered into a dialogue with the USGS to determine if they can provide turnkey installation of the samplers and collection of the samples. The County's efforts to implement this monitoring program will continue in the next year.

Currently, the County's SWMP contains several BMPs to address sources of bacteria (BMP1-4, BMP1-6, BMP1-8, and BMP3-6). The County does not believe additional BMPs are needed to comply with the TMDL. If future monitoring results indicate that *E. coli* discharges from the MS4 are not compliant with the TMDL, the County will at that time modify its BMPs.

### 3.3 COMPLIANCE SUMMARY

Table 7 summarizes the County's status in complying with its SWMP's measurable goals and schedule last year.

**Table 7. Summary of BMP Implementation**

DESCRIPTION	RESULT
BMPs Completed	40
BMPs In-Progress	9
BMPs Delayed	5
BMPs Superseded by Others or No Longer Applicable	4
BMPs Proposed to Be Changed	2
<b>TOTAL</b>	<b>60</b>



At the end of the third permit year (2009-2010), the County reported 88% of the BMPs as being completed (including superseded or no longer applicable) or in the progress of being completed. The percentage dropped to 68% at the end of the fourth permit year (2010-2011). During the past year, the fifth permit year (2011-2012), the County raised the percentage of BMPs completed or in the progress of being completed back to 88%.

The implementation of five BMPs remains delayed. They are primarily delayed due to resource constraints, and the County hopes to implement them during the permit continuation period. Two BMPs (1-7 and 1-9) have not been implemented because of their dependence on the cooperation of local school districts. With this annual report, the County is proposing changes to these two BMPs, so that implementation of the BMPs will be within the County's control.

During the next year, the County will look for EPA's reissuance of the NPDES General Permit for Small MS4s. After it is issued, Doña Ana County will update its SWMP for the next five year permit and will submit the revised SWMP and/or a new Notice of Intent to the EPA, according to the requirements of the new general permit.

#### **4.0 PROPOSED SWMP CHANGES**

The changes in this section are proposed according to Part 5.5.2 of the NPDES General Permit for Small MS4s. EPA is hereby notified of the proposed changes, which the permit allows to be implemented 60 days after submitting this report, unless denied in writing by the EPA.

#### **4.1 PUBLIC EDUCATION AT SCHOOLS (BMP1-7 AND BMP1-9)**

BMPs 1-7 and 1-9 were developed for a target audience of elementary school children within the two school districts which serve the urbanized areas of Doña Ana County. During the past several years, County staff has attempted to work with others to bring storm water information into the classrooms; however, these efforts have been ineffective in reaching the target audience. The County has determined that BMPs 1-7 and 1-9 are ineffective and is proposing to change these BMPs. The change will focus the County's efforts on outreach to children in a manner that is independent of the school districts and within the County's control.

Currently, BMP1-7 is directed at the Las Cruces Public School District, and BMP1-9 is directed at the Gadsden Independent School District. The County proposes to eliminate BMP1-9 and revise BMP1-7 to be an activity that reaches school-aged children throughout the County, regardless of the school they attend. The County will create packages containing age appropriate items with storm water messages and information. The packages will be given to children during other County activities which contact children, such as public safety presentations, fire safety presentations, Keep Doña Ana County Beautiful activities, career days, health department activities, recreation center programs, etc...

#### **4.2 SWPPP REVIEW (BMP4-6)**

BMP4-6 consists of reviewing Storm Water Pollution Prevention Plans (SWPPP) for developments which the County's Storm Water Management Ordinance requires to be submitted for review. The measurable goal for BMP4-6 has been to not issue a County permit until the SWPPP is accepted by the County. After reviewing SWPPPs for a couple years, the County has discovered that having a completed, certified SWPPP at this point in the development process is not always possible. On some projects, the developer or owner needs



the County permit to obtain funding and hire a contractor, but the SWPPP cannot be completed until the contractor is hired. In addition, with regards to single family residential construction, the County's limited resources for its SWMP could be better spent than reviewing the complete SWPPP for each building permit issued for home construction in a residential subdivision.

For the above reasons, the County proposes to change the measurable goal for BMP4-6. The new goal will be to review the SWPPPs for all development projects that will disturb one acre or more. The BMP itself, SWPPP Review, is not being revised. Only the manner in which it is measured will change.

#### **4.3 MONITORING OF DISCHARGES TO IMPAIRED WATERS**

In 2009 Doña Ana County developed and submitted to the EPA a Monitoring/Assessment Plan (MAP) for its SWMP, in accordance with Part 5.6.1.1 of the NPDES General Permit for Small MS4s. Because the County discharges to impaired waters for which a bacteria TMDL is established, the MAP was required to include collection of information on the levels of the bacteria in its MS4 discharges. The bacteria monitoring discussed in the MAP contained collection of flow data.

The County has selected monitoring sites in Berino and Tortugas, NM. Both sites are normally dry and have flow only in response to precipitation. The most common storm events to be monitored (1-, 2-, and 5-year return periods) yield relatively shallow flow of short duration. Monitoring of flow under these conditions is challenging, expensive and unlikely to yield sufficient data to generate meaningful flow-weighted results. For these reasons, the County proposes to eliminate flow from the data to be gathered during bacteria monitoring.

#### **5.0 PUBLIC REVIEW AND COMMENT**

On August 26, 2012, Dona Ana County published a public notice in the Las Cruces Sun-News stating that the draft annual report was available for public review. A copy of the public notice is in Appendix G. No public comments were received.

**DOÑA ANA COUNTY**  
**NPDES SMALL MS4 ANNUAL REPORT**  
**SEPTEMBER 2012**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2011 – JUNE 30, 2012**

**PUBLIC EDUCATION AND OUTREACH (MCM #1)**  
**PUBLIC INVOLVEMENT/PARTICIPATION (MCM #2)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports the County's progress towards meeting the goals of the first and second Minimum Control Measures (MCMs) required by the permit: **Public Education and Outreach and Public Involvement/Participation**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report Certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007
Point of Contact:	Henry K. Corneles, PE, Engineer Supervisor
Phone Number:	575-525-6162
Fax Number:	575-525-6179
E-mail:	henryco@donaanacounty.org

## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

### 3.1 PUBLIC EDUCATION AND OUTREACH

During the past year, the County's most significant accomplishments in public education and outreach were:

- Printing and distributing an educational fact sheet on pet waste and water quality;
- Installing signs asking residents to cleanup their pet's waste in parks; and
- Becoming a member of the Paso del Norte Watershed Council (PdNWC) Executive Committee.

Table 1 summarizes the status of the County's BMPs for public education and outreach. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Public Education and Outreach**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
1-1	Public Education with Printed Material	Engineering	Develop or obtain one educational item and track distribution	Completed	Develop or obtain one educational item and track distribution
1-2	Public Education by Radio	Public Information	Quarterly address storm water issues on a County radio show  Broadcast two PSAs in Spanish	Completed  Delayed	Quarterly address storm water issues on a County radio show  Broadcast two PSAs in Spanish
1-3	Storm Water Mgmt Webpage	Public Information	Review and update the webpage, and track the number of "hits"	Completed	Review and update the webpage, and track the number of "hits"
1-4	Pollution Prevention Information for Animal Owners	Engineering and Sheriff's Office/Animal Control	Develop fact sheet or brochure, and track distribution	Completed	Track distribution
1-5	Pollution Prevention Information for Auto Repair Shops and Recyclers	Engineering and Comm. Dev.	Develop fact sheet or brochure, and track distribution to new businesses	Delayed	Develop fact sheet or brochure, and track distribution to new businesses
1-6	Pet Waste Signs at Parks	Facilities & Parks	Install signs at 4 parks, 2 for 2012 and 2 to make up for 2011	Completed	Install signs at two parks
1-7	Elementary School Presentations with City of Las Cruces	Engineering	Meet with the City of Las Cruces and discuss opportunities to assist with presentations	Delayed	Proposed change: develop and distribute storm water information kits to children
1-8	Watershed-based Education on Bacteria Sources	Engineering	Participate in a minimum of four Paso Del Norte Council's activities for its Section 319(h) Watershed Restoration Grant	Completed	Participate in a minimum of four activities of the Paso Del Norte Watershed Council
1-9	Outreach to Gadsden ISD	Engineering	Determine feasibility of a storm water outreach program for the Gadsden ISD	Delayed	Proposed change: combine with BMP 1-7

\*Table 1 is the same as Table 1 in the Annual Report Compliance Summary.



### **3.1.1 Public Education with Printed Material (BMP1-1)**

The goal of this BMP is to use printed materials to inform the residents of Doña Ana County about the ways they affect storm water quality and to encourage them to change their behavior. One printed item is scheduled to be developed or purchased by the County each year. During the fifth permit year, the County developed an educational fact sheet, *Pet Waste and Water Quality*. A copy of it is in Appendix A. This educational material is also used to satisfy the fifth year goal for BMP1-4. In addition, the County continued to distribute two educational items from previous permit years: *Protecting Water Quality from Urban Runoff* and *Bacteria in the Rio Grande Basin*.

Copies of all educational materials were placed in four locations in the County Government Center and in the following six recreation center locations: Rincon, Radium Springs, Doña Ana, Organ, Vado/Del Cerro, and Chaparral. The County distributed approximately 300 copies of each item during the past year.

In the permit continuation, the County is scheduled to develop or obtain another educational item for distribution and will continue tracking the distribution of its educational material.

### **3.1.2 Public Education by Radio (BMP1-2)**

Educational information by radio is intended to reach a residential audience and commuters between the two urbanized areas within the County. The goals for the past year were to address storm water issues on radio talk shows and to broadcast two pollution prevention Public Service Announcements (PSAs) for the Spanish-speaking citizens of Doña Ana County.

The Director of Public Information provides timely updates of the County's activities on KVLC 101-Gold Radio, Rocket 99.9 and Magic 105 on Wednesdays and on the HOT FM 103.1 *Morning Show* and the *KGRT Morning Country Show* on KGRT 103.9 on Thursdays. Throughout the year, the Director periodically mentioned the County's Storm Water Management Program on the radio shows.

No PSAs were broadcast in the fifth permit year. Two PSAs will be broadcast in Spanish during the next permit year. The SWMP Coordinator will provide the information for the PSAs, and the Public Information Office will be responsible for preparing/recording the PSAs in Spanish and broadcasting them.

### **3.1.3 Storm Water Management Webpage (BMP1-3)**

The County continues to maintain the storm water management webpage on its website. A copy of the webpage is in Appendix A. During the past year, the County added a link with information on Construction SWPPP Requirements (BMP4-9). The storm water management webpage was visited 735 times last year. The County will continue to update and track visits to the webpage.



### **3.1.4 Pollution Prevention Information for Animal Owners (BMP1-4)**

Animal owners are one of the audiences targeted for public education in the County's SWMP, since their animals are potential bacteria sources contributing to impairment of water quality in the Lower Rio Grande. During the fifth permit year, the County developed a fact sheet about pet waste and its effects on water quality, as discussed in BMP1-1. The County distributed approximately 300 copies of this sheet. The County will continue to distribute and track the number of fact sheets distributed during the permit continuation.

### **3.1.5 Pollution Prevention Information for Auto Repair Shops and Recyclers (BMP1-5)**

This BMP required the County to develop or purchase a fact sheet addressing pollutants discharged by auto repair shops and auto recyclers' activities. These commercial activities are a potential source of pollutants in the unincorporated areas of the County. New businesses will be given the fact sheet when they receive their business certificate. The fact sheet for this BMP will be completed by the end of the permit continuation period.

### **3.1.6 Pet Waste Signs at Parks (BMP1-6)**

The target audience for BMP1-6 is dog owners who use County parks to walk, exercise, and play with their dogs. The goal is to reduce the potential bacteria loading from dog waste by installing signs that encourage dog owners to pick up their dog's waste.

The County is scheduled to place signs in two parks per year until all the County parks have signs. The County installed four signs during the past year; two of which were delayed from the fourth permit year and two for the fifth permit year. The signs were installed at Mesquite Community Park, La Mesa Baseball Park, Guadalupe Park and Dolores Wright Park. Photos of the signs are in Appendix A.

### **3.1.7 Elementary School Presentations with City of Las Cruces (BMP1-7)**

The purpose of this BMP was to bring information about the hydrologic cycle and storm water pollution prevention to elementary schools in the Las Cruces Urbanized Area. Working with school districts has been challenging, because of the schools' intense focus on testing and budget issues. In general, schools are limiting participation in activities during classroom hours to core curricula.

The County has determined that this BMP is ineffective and is proposing to change the BMP to focus on outreach to children in a manner that is independent of the school district and within the County's control. A complete discussion of the proposed change is in Section 4.0 Proposed SWMP Changes of the annual report's Compliance Summary.

### **3.1.8 Watershed-based Education on Bacteria Sources (BMP1-8)**

At the end of the previous reporting period, the Paso del Norte Watershed Council (PdNWC) had asked the County to join the PdNWC Executive Committee. The Board of



County Commissioners (BOCC) approved the County's participation in the BOCC's meeting on September 27, 2011. A copy of the minutes for that meeting is in Appendix A.

The Paso del Norte Watershed Council (PdNWC) held meetings throughout the past permit year. On May 17, 2012, the County hosted a meeting. The meeting included discussion of the sources of the bacteria load in the Lower Rio Grande and the actions to be taken to preserve and enhance the ecosystem from Elephant Butte Dam to Presidio. The meeting was held at the County Government Center. A copy of the agenda for this meeting is in Appendix A.

The County's Storm Water Management Coordinator, Henry Corneles, participated in the above two sessions and also two other activities of the PdNWC. He attended meetings of its CWA Section 319(h) Water Quality Subcommittee on August 9, 2011 and September 27, 2011. The County will continue to participate in PdNWC activities throughout the permit continuation.

### **3.1.9 Outreach to Gadsden ISD (BMP1-9)**

The schedule in the County's SWMP shows outreach to the Gadsden ISD starting in the fifth permit year. The County contacted the Gadsden ISD superintendent's office during the third permit year, ahead of schedule. The Gadsden ISD expressed interest; however, due to the schools' budget concerns and focus on testing, an opportunity for the County to participate did not present itself. Learning from BMP1-7, the County foresees this BMP to also be ineffective.

The County is proposing to combine this BMP with BMP1-7 and to change the activities to ones that will reach elementary school aged children throughout the County, independent of the school districts. A more detailed discussion of the proposed change is in Section 4.0 Proposed SWMP Changes of the annual report's Compliance Summary.

## **3.2 PUBLIC INVOLVEMENT/PARTICIPATION**

During the past year, the County's most significant accomplishment in public involvement and participation was having 778 people participate in volunteer cleanup activities.

Table 2 summarizes the status of the County's BMPs for public involvement/participation. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 2\*. Public Involvement/Participation**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
2-1	Presentations to the Board of County Commissioners (BOCC)	Engineering	Present the 2010-2011 Annual Report to the BOCC	Delayed	Present the 2011-2012 Annual Report to the BOCC
2-2	NOI and SWMP on Storm Water Webpage	Public Information	Add link to 2010 and 2011 Annual Reports	In-Progress	Add link to 2010, 2011 and 2012 Annual Reports
2-3	Webpage Comment Form for the SWMP	Public Information	Track number of forms received and the County's response	Completed	Track number of forms received and the County's response
2-4	Maintain a Copy of the NOI and SWMP for Public Viewing	Engineering	Place a copy of the 2011 annual report with the SWMP for public viewing	Completed	Place a copy of the 2012 annual report with the SWMP for public viewing
2-5	Public Comment Log	Engineering	Continue to maintain the record	Completed	Continue to maintain the record
2-6	Storm Water Pollution Report Line	Engineering, Utilities and Sheriff's Office/Codes	Establish procedures for documenting, tracking, processing, and responding to the calls; track number and types of calls	In-Progress	Establish procedures for documenting, tracking, processing, and responding to the calls; track number and types of calls
2-7	Volunteer Cleanup Activities	Engineering, Utilities and Sheriff's Office/Codes	Track the number of cleanup activities and amount of trash collected	Completed	Track the number of cleanup activities and amount of trash collected

\*Table 2 is the same as Table 2 in the Annual Report Compliance Summary.



### **3.2.1 Presentations to County Commissioners (BMP2-1)**

The goal of this BMP is to bring the SWMP to the Board of County Commissioners (BOCC) at least once per year in a forum where the Commissioners and the general public can comment on the SWMP activities. The last presentation of the SWMP to the BOCC was on June 28, 2011. During the permit continuation, the status of the SWMP implementation will be presented to the BOCC. The pending permit renewal will be part of the presentation.

### **3.2.2 NOI and SWMP on Storm Water Management Webpage (BMP2-2)**

Easy public access to information is important for public involvement. The County's NOI and SWMP are posted on the County's storm water management webpage. In permit year five, the County was scheduled to post links to the 2010 Small MS4 Annual Report and the 2011 Small MS4 Annual Report. These links were not uploaded in the fifth permit year, but they were created on August 16, 2012, before this report was submitted to EPA. A copy of the webpage with the new links is in Appendix B.

### **3.2.3 Webpage Comment Form for the SWMP (BMP2-3)**

The County's storm water management webpage includes a form where the public can provide comments and feedback on the SWMP. No comment forms were received during the past year. The County will continue to maintain the comment form for the public and will respond to comments, if any, during the permit continuance.

### **3.2.4 Maintain a Copy of the NOI and SWMP for Public Viewing (BMP2-4)**

During the past permit year, the County maintained a copy of its NOI, SWMP, 2010 Small MS4 Annual Report and 2011 Small MS4 Annual Report for public viewing in the Engineering Department at the County Government Center. There were no requests to view these documents. A copy of the 2012 Small MS4 Annual Report will be added to the documents for viewing during the permit continuance.

### **3.2.5 Public Comment Log (BMP2-5)**

The public comment log is intended to be a master set of all comments received on the SWMP during the five year term of the General Permit for Small MS4s. No comments were received during the past year. Due to the lack of public interest in viewing the SWMP and annual reports, the County is evaluating methods to improve public involvement.

### **3.2.6 Storm Water Pollution Report Line (BMP2-6)**

The County has established the Engineering Department phone number (575-525-6164) as the public report line for storm water pollution. The number is on the County's storm water management webpage and is placed on educational material distributed by the County. The goal of BMP2-6 for the fifth permit year was to establish a system to track the number and types of reports received on the report line and the County's response to the reports.



The County proposes to use the iWorQ complaint form to log and track storm water pollution complaints. Currently, the County is using an iWorQ module to log and track drainage complaints, so the implementation of a module for storm water should be quick and simple. A copy of a typical complaint form in an iWorQ module is in Appendix B.

### 3.2.7 Volunteer Cleanup Activities (BMP2-7)

In the fifth permit year, Doña Ana County provided several opportunities for residents to participate in litter cleanups through Toss No Mas and Great American Cleanup events. Many volunteer organizations also offer their time for litter cleanup. Reports on the Toss No Mas and the Great American Cleanup events are in Appendix B. Totals for litter cleanup in the County are presented in Table 3.

**Table 3. Summary of Litter Cleanup Activities**

TYPE OF ACTIVITY	LITTER COLLECTED (POUNDS)	NUMBER OF VOLUNTEERS
Great American Cleanup	29,560	297
Toss No Mas	41,740	444
Volunteer Organizations	300	37
<b>TOTALS</b>	<b>71,600</b>	<b>778</b>

## 4.0 ANALYSIS OF MONITORING DATA

### 4.1 PUBLIC EDUCATION AND OUTREACH

The Monitoring/Assessment Plan for public education and outreach is to:

- Use results from a storm water questionnaire to monitor the public's knowledge of storm water pollution prevention; and
- Quarterly collect floatables (trash) at one location in each urbanized area to monitor behavior changes in response to public education.

#### 4.1.1 Storm Water Questionnaire

The Doña Ana County Storm Water Questionnaire was developed in permit year four. The County posted a link to the questionnaire in electronic format on the storm water management webpage (Appendix A). Copies of the questionnaire were also placed in the County Government Center and at County recreation centers for the public to complete and submit.

During permit year five, no completed questionnaires were submitted to the County. The storm water management webpage was viewed 735 times, but none of the visitors completed the questionnaire. The County is considering ways to more effectively solicit information from the public, using the questionnaire or by another method, in order to evaluate its effectiveness in reaching the public with storm water information.

#### 4.1.2 Floatables Monitoring

In the prior reporting cycle, the County selected a series of grated drop inlets along Concepcion Avenue in Berino, NM for monitoring in the El Paso Urbanized Area and a

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**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2011 – JUNE 30, 2012**

**ILLICIT DISCHARGE DETECTION AND ELIMINATION**  
**(MCM #3)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer System (MS4) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports the County's progress towards meeting the goals of the third Minimum Control Measure (MCMs) required by the permit: **Illicit Discharge Detection and Elimination**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report Certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007
Point of Contact:	Henry K. Corneles, PE, Engineer Supervisor
Phone Number:	575-525-6162
Fax Number:	575-525-6179
E-mail:	henryco@donaanacounty.org

## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

During the past year, the County's most significant accomplishments in illicit discharge detection and elimination were:

- A 28% increase in the number of visitors to the webpage containing information on the proper disposal of Household Hazardous Waste (HHW);
- Development of illicit discharge investigation and enforcement procedures;
- Development of a Notice of Violation specifically for illicit discharges; and
- Training Codes Enforcement Officers who will enforce the discharge prohibitions in the Storm Water Management Ordinance

Table 1 summarizes the status of the County's BMPs for illicit discharge detection and elimination. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Illicit Discharge Detection and Elimination**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
3-1	Public Information on Trash and HHW Disposal	Public Information	Track distribution	Completed	Track distribution
3-2	HHW Disposal Guidance on the Website	Public Information	Maintain information about HHW disposal on website, and track number of "hits"	Completed	Maintain information about HHW disposal on website, and track number of "hits"
3-3	Illegal Dumping Enforcement	Sheriff's Office/Codes	Track number of citations issued	Completed	Track number of citations issued
3-4	Storm Water Management Ordinance	Engineering and Sheriff's Office/Codes	Track illicit discharge enforcement actions	Completed	Track illicit discharge enforcement actions
3-5	Illicit Discharge Training	Engineering, Sheriff's Office and Comm. Dev.	Train illicit discharge inspectors	Completed	Train any new Code Enforcement Officers hired by the County
3-6	Wastewater Collection for Areas with On-site Systems	Utilities	Maintain a five year Infrastructure CIP, and track the number of lots with existing structures that are connected to sewer in the urbanized area	Completed	Maintain a five year Infrastructure CIP, and track the number of lots with existing structures that are connected to sewer in the urbanized area
3-7	MS4 Map	Comm. Dev./G.I.S.	Map additional outfalls in the urbanized areas as they are found or constructed	Completed	Map additional outfalls in the urbanized areas as they are found or constructed
3-8	Dry Weather Outfall Screening	Engineering	Screen new outfalls in urbanized areas	Completed	Screen new outfalls in urbanized areas

\*Table 1 is the same as Table 3 in the Annual Report Compliance Summary.



### **3.1 Public Information on Trash and HHW Disposal (BMP3-1)**

In permit year five, the County distributed a fact sheet on HHW (developed in permit year four). The fact sheet was placed in the County Government Center for citizens to pick up and was distributed to the following recreation centers: Rincon, Radium Springs, Doña Ana, Organ, Vado/Del Cerro, and Chaparral. The County distributed to the public approximately 300 copies of the fact sheet. The County also has posted the fact sheet on its storm water management webpage. The County will continue to distribute and track the distribution of the information during the permit continuance.

### **3.2 HHW Disposal Guidance on the Website (BMP3-2)**

This BMP requires the County to maintain information about HHW disposal on the County's storm water management webpage. The County maintains a link to the above mentioned fact sheet (BMP3-1) on the webpage. The information received five visits in the third permit year, 72 in the fourth permit year, and 92 during the fifth permit year. This trend indicates the increase in public knowledge and interest in proper disposal of HHW. A copy of the webpage with the HHW links is in Appendix C.

### **3.3 Illegal Dumping Enforcement (BMP3-3)**

In permit year five, the County established a task force with the U.S. Department of the Interior, Bureau of Land Management (BLM), to cooperatively fight illegal dumping within Doña Ana County. Known dumping sites are being mapped in GIS to prioritize efforts and monitor for repeat offenders. The County will continue illegal dumping enforcement activities during the permit continuance.

### **3.4 Storm Water Management Ordinance (BMP3-4)**

The goal of this BMP for permit year five was to track illicit discharge enforcement actions. The County developed written investigation and enforcement procedures. The procedures included complaint and investigation tracking, investigation procedures and enforcement escalation guidelines. The County also developed an illicit discharge investigation form and a Notice of Violation for the Storm Water Management Ordinance. Copies of the documents are in Appendix C.

### **3.5 Illicit Discharge Training (BMP3-5)**

BMP3-5 commits the County to training employees who are responsible for enforcing the prohibitions on illicit discharge in the Storm Water Management Ordinance. During the fifth permit year, the County decided that Code Enforcement Officers will be the employees who enforce these portions of the ordinance. Training was held for the officers on May 24, 2012 in two sessions (morning and afternoon). The training covered:

- NPDES storm water permits overview;
- MS4 permit requirements for illicit discharge detection and elimination;
- Storm Water Management Ordinance;
- Allowed and prohibited discharges;
- Procedures for investigating discharges; and
- Illicit discharge enforcement and escalation procedures, documentation and reporting.



Copies of the training sign-in sheets are in Appendix C. The County will continue to train any new Code Enforcement Officers who will be involved in enforcing the illicit discharge prohibitions in the Storm Water Management Ordinance.

### **3.6 Wastewater Collection for Areas with On-site Systems (BMP3-6)**

The County maintains a five year Capital Improvement Program to extend wastewater collection and treatment services to developments currently using on-site systems. Property owners are required by County Ordinance No. 201-02 to connect to the wastewater system when it is extended to within 300 ft of buildings or other facilities.

During the fifth permit year, the County made 21 new sewer connections to structures which were previously using on-site systems. The connections were along two streets within the community of Chaparral. The number of wastewater projects constructed each year is limited by funding resources. The County will continue to aggressively seek and pursue Federal grants and other funding sources for wastewater collection.

### **3.7 MS4 Map (BMP3-7)**

The County completed its initial outfall map of the Las Cruces and El Paso Urbanized Areas during the third permit year. BMP3-7 was completed one year ahead of schedule. The goal for last year (permit year five) was to map any new outfalls that were found or constructed. No new outfalls were found or constructed within the urbanized areas during the year.

### **3.8 Dry Weather Outfall Screening (BMP3-8)**

The initial screening of outfalls was completed ahead of schedule with BMP3-7. All known outfalls were screened when they were mapped during the third permit year, which was two years ahead of schedule. There were no new outfalls to be screened during the fifth permit year. New outfalls will be screened as they are mapped during the permit continuance period.

## **4.0 ANALYSIS OF MONITORING DATA**

The Monitoring/Assessment Plan for illicit discharge detection and elimination is to:

- Track the number of enforcement actions for each type of enforcement authorized by the Storm Water Management Ordinance, in order to monitor effectiveness of the County's illicit discharge detection program;
- Track the percentage of enforcement actions that result in elimination of the illicit discharge;
- Track the number of illicit discharges found by dry weather screening to assess the effectiveness of the screening program; and
- Track the percentage of illicit discharges found by dry weather screening that are eliminated by the program.

The County spent most of the fifth permit year developing its procedures, processes and forms for investigating reports of illicit discharges, enforcing the Storm Water Management Ordinance, and tracking the results. The Codes Enforcement Officers were trained in these procedures on May 24, 2012, which left approximately one month of the permit year to gather enforcement



data. One month is too short of a period for a meaningful assessment of the County's efforts to eliminate illicit discharges. The assessment will start with the next reporting cycle.

All mapped outfalls were screened during the third permit year, and the results were assessed in the 2010 Small MS4 Annual Report. The outfalls are not scheduled to be screened again until the County's permit is renewed by EPA. No new outfalls were mapped or screened during the past year; therefore, the County has no new data to assess the effectiveness of its screening program.

## **5.0 INSPECTION AND ENFORCEMENT ACTIONS**

The County implemented its illicit discharge inspection and enforcement program in the last month of the permit year, after training the Codes Enforcement Officers on May 24, 2012. Data on inspection and enforcement actions are now being tracked. Reporting of the data will start with the next annual report.



storm water pond in Tortugas, NM for monitoring in the Las Cruces Urbanized Area. During the fifth permit year, the County evaluated different products and methods for capturing and quantifying the floatables. Floatables in the Tortugas ponding area will be collected from the sides of the vegetated pond, by the County's Roads Department, after the water level recedes. For the Berino drainage system, the County selected the Triton Drop Inlet Insert to retrofit the existing grated inlets for floatables collection. The County also evaluated different devices for collecting rainfall data within the watersheds being monitored, in order to correlate the amount of floatables collected with the amount of precipitation.

The County is now in the process of budgeting to purchase and install the trash collection devices. During permit continuance, the County will develop monitoring protocols for the two locations and implement the floatables monitoring. Until then, no data are available for the County to assess the effectiveness of its public education in reducing the amount of trash in the MS4.

#### 4.2 PUBLIC INVOLVEMENT/PARTICIPATION

The Monitoring/Assessment Plan for public involvement/participation is to:

- Track the number of storm water pollution reports received from the public to monitor the number of people aware of and becoming involved in storm water pollution prevention; and
- Track the number of people commenting on the SWMP to monitor involvement in the program.

Development of the procedures to track storm water pollution reports (BMP2-6) was started but not completed during the past year. Monitoring of reports will begin after the BMP is implemented.

Table 4 summarizes the comments about the SWMP that the County has received. During the fifth permit year, the County tracked 735 visits to its storm water management webpage, but no comments on the SWMP were submitted.

**Table 4. Summary of Public Comments on the SWMP**

PERMIT YEAR	TIME PERIOD	NUMBER OF COMMENTS RECEIVED
Third	July 2009 – June 2010	0
Fourth	July 2010 – June 2011	1
Fifth	July 2011 – June 2012	0
<b>TOTAL</b>		<b>1</b>

To date, the data seems to indicate either a lack of knowledge of or interest in the SWMP. The County is evaluating methods to improve public interest and involvement in the SWMP. New methods will be considered for the revised SWMP, which the County will prepare after the EPA reissues the General Permit for Small MS4s.

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**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2011 – JUNE 30, 2012**

**CONSTRUCTION SITE STORM WATER RUNOFF**  
**CONTROL (MCM #4)**

**POST-CONSTRUCTION STORM WATER**  
**MANAGEMENT (MCM #5)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer System (MS4) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports the County's progress towards meeting the goals of the fourth and fifth Minimum Control Measures (MCMs) required by the permit: **Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New Development and Redevelopment**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report Certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007
Point of Contact:	Henry K. Corneles, PE, Engineer Supervisor
Phone Number:	575-525-6162
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## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

### 3.1 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

During the past year, the County's most significant accomplishments in construction site water runoff control were:

- Developing inspection procedures and enforcement guidelines and enforcement documents (e.g. warning notice, NOV);
- Training the County's construction site inspectors; and
- Developing information on SWPPP and LEW requirements for the construction industry.

Table 1 summarizes the status of the County's BMPs for construction site storm water runoff control. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Construction Site Storm Water Runoff Control**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
4-1	Construction Waste Enforcement under the Solid Waste Ordinance	Comm. Dev.	No further activities; superseded by BMP4-7 after adoption of Storm Water Mgmt Ordinance	Not applicable	No activity scheduled
4-2	Construction Plan Review	Engineering and Comm. Dev.	No further activities; superseded by BMP4-6 after adoption of Storm Water Mgmt Ordinance	Not applicable	No activity scheduled
4-3	Storm Water Management Ordinance	Engineering and Comm. Dev.	Track construction enforcement actions	Completed	Track construction enforcement actions
4-4	SWPPP and BMP Training for Plan Reviewers	Engineering	Train new reviewers and reviewers that missed year 3 training	Completed	Train new reviewers
4-5	Erosion and Sediment Control Training for Inspectors	Engineering and Comm. Dev.	Develop a written SWPPP inspection protocol	Completed	Train new inspectors
4-6	SWPPP Review	Engineering and Comm. Dev.	Require County review and acceptance of SWPPP for regulated sites before issuing County permits	Completed	Require County review and acceptance of SWPPP for regulated sites
4-7	Construction Site SWPPP Inspections	Engineering and Comm. Dev.	Inspect regulated construction sites within the urbanized areas at least once during construction	In-Progress	Inspect regulated construction sites within the urbanized areas at least once during construction
4-8	Construction SWPPP Education	Engineering and Comm. Dev.	Develop hand-out of SWPPP requirements for contractors and developers; track distribution	Completed	Maintain hand-out of SWPPP requirements for contractors and developers; track distribution
4-9	Construction SWPPP Information on Webpage	Public Information	Maintain information on webpage, and track the number of "hits"	Completed	Maintain information on webpage, and track the number of "hits"

\*Table 1 is the same as Table 4 in the Annual Report Compliance Summary.



### **3.1.1 Construction Waste Enforcement under the Solid Waste Ordinance (BMP4-1)**

No activity was scheduled for this BMP during permit year five.

### **3.1.2 Construction Plan Review (BMP4-2)**

No activity was scheduled for this BMP during permit year five.

### **3.1.3 Storm Water Management Ordinance (BMP4-3)**

The goal for this BMP in permit year five was to track enforcement of the construction activity section in the County's Storm Water Management Ordinance. During the year, the County developed written inspection and enforcement guidelines, a warning notice for violations of the Ordinance, and SWPPP inspection forms (BMP4-5) that also function as Notices of Violation. A tracking system was also developed in Microsoft Excel format to track enforcement actions. A copy of the SWPPP Inspection and Enforcement Guidelines and the Construction Warning Notice are in Appendix D.

The County implemented the new construction inspection and enforcement guidelines in May 2012. Before the end of the permit year (June 30, 2012), three development sites were inspected for SWPPP compliance. All three resulted in a Notice of Violation. Two of the sites were re-inspected and the violations resolved before the end of the permit year.

### **3.1.4 SWPPP and BMP Training for Plan Reviewers (BMP4-4)**

Two people in the Engineering Department reviewed all SWPPPs submitted to the County during the fourth permit year and continued to review them through permit year five. There were no new reviewers hired, so no training was conducted during permit year five.

### **3.1.5 Erosion and Sediment Control Training for Inspectors (BMP4-5)**

BMP4-5 in the SWMP has two parts: (1) development of a SWPPP inspection protocol; and (2) training for SWPPP inspectors who use the protocol. During permit year five, the County developed a SWPPP inspection protocol. The protocol consists of written inspection and enforcement guidelines (BMP4-3) and inspection forms to ensure consistent inspection of construction sites. The County uses the same inspection forms and a similar procedure to inspect the County's construction projects (BMP6-17). Copies of the forms are in Appendix D.

The County developed a SWPPP/LEW Compliance Process which consists of review, inspections, enforcement and tracking through a project's lifespan. Diagrams of this process for different types of permits issued by the County are in Appendix D.

SWPPP and LEW compliance training for construction inspectors was held on April 24, 2012. The topics of the training session included:

- MS4 permit requirements for construction site inspection;



- Storm Water Management Ordinance requirements for construction sites;
- Prioritizing and scheduling inspections;
- Inspection and enforcement protocols; and
- Enforcement escalation procedures.

A copy of the training sign-in sheet is in Appendix D.

### **3.1.6 SWPPP Review (BMP4-6)**

The County requires operators of all construction activities that are one acre and larger (or part of a common plan of development) to submit a SWPPP to the County for review and acceptance before issuing any permits. The SWPPPs are reviewed using a checklist established by the County during the fourth permit year. In permit year five, the County received a total of 88 development SWPPPs to review, of which 63 were for residential SWPPPs and 25 were for non-residential SWPPPs. The review logs (Sign-In Sheets) are in Appendix D. The County will continue to review SWPPPs during permit continuance.

### **3.1.7 Construction Site SWPPP Inspections (BMP4-7)**

The SWMP scheduled County inspections of SWPPP implementation at construction sites to start during the fifth permit year. In permit year five, the County developed guidelines and inspection forms to inspect construction sites (BMP4-3). The goal is to inspect all construction sites that are one acre and larger and smaller sites that are part of a common plan of development within the urbanized areas at least once during construction.

The inspection program was implemented in May 2012, after development of the construction inspection and enforcement guidelines. Three non-residential development sites were inspected before the end of the fifth permit year.

### **3.1.8 Construction SWPPP Education (BMP4-8)**

This BMP's goals are to develop information about SWPPP and LEW requirements for contractors and developers and to track the distribution of this educational material. During permit year five, the County developed flow charts showing the requirements for a SWPPP and LEW. Copies of the flow charts are in Appendix D. Approximately 30 copies were distributed to contractors and developers at the Building Permits counter and by the Engineering Department.

### **3.1.9 Construction SWPPP Information on Webpage (BMP4-9)**

BMP4-9 consists of posting information about preparing a construction SWPPP on the County's storm water webpage (BMP1-3). In permit year five, the County added a link to a Construction SWPPP Requirements page on its storm water management webpage. The new page includes links to the flow charts developed for BMP4-8, a link to the County's Storm Water Management Ordinance, and links to EPA's SWPPP preparation guidelines and permit requirements for construction activity. The County received 96 visitors to the Construction SWPPP Requirements webpage during permit year five. The



County will maintain the webpage and track the number of visitors to that page through the permit continuation.

### **3.2 POST-CONSTRUCTION STORM WATER MANAGEMENT**

During the past year, the County's most significant accomplishments in post-construction storm water management were:

- Adoption of the One Valley, One Vision 2040 Regional Comprehensive Plan, which includes goals and strategies to protect and improve water quality; and
- Implementation of a contact clause requiring architectural and engineering firms hired by the County to consider Low Impact Development features when designing facilities for the County.

Table 2 summarizes the status of the County's BMPs for post-construction storm water management. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 2\*. Post-Construction Storm Water Management**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
5-1	Vision 2040 Regional Plan	Comm. Dev.	Document activities related to One Valley, One Vision 2040	Completed	Document activities related to One Valley, One Vision 2040
5-2	Evaluation of Existing Ordinances	Comm. Dev. And Engineering	No activity scheduled	Not applicable	Prepare list of ordinance changes for post-construction BMPs
5-3	LID Information on Webpage	Public Information	Maintain information; track number of "hits"	Completed	Maintain information; track number of "hits"
5-4	LID Education	Comm. Dev. and Engineering	GI/LID conference on August 26, 2010	Not applicable	No activity scheduled
5-5	Post-Construction BMP Training for Plan Reviewers	Comm. Dev. and Engineering	No activity scheduled	Completed	Train new reviewers
5-6	Plan Review for Compliance with Development Design Standards	Comm. Dev. and Engineering	Review development plans in urbanized areas to verify they contain post-construction BMPs; track number and type of BMPs	Completed	Review development plans in urbanized areas to verify they contain post-construction BMPs; track number and type of BMPs
5-7	Construction Inspection for Compliance with Development Plans	Comm. Dev. and Engineering	Track number of inspections within urbanized areas	In-Progress	Track number of inspections within urbanized areas
5-8	Maintenance Agreement for Private Drainage Structures	Comm. Dev.	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas	Completed	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas
5-9	LID Principles in Designs for New County Facilities	Engineering	No activity scheduled	Completed	Maintain list of LID features implemented

\*Table 2 is the same as Table 5 in the Annual Report Compliance Summary.



### **3.2.1 Vision 2040 Regional Plan (BMP5-1)**

One Valley, One Vision 2040 is a Regional Comprehensive Plan for Doña Ana County, the City of Las Cruces, and other municipalities in the County. The goal of BMP5-1 is to track the County's involvement in the regional planning process. Through its involvement, the County intends to ensure the plan considers post-construction storm water management for new development and redevelopment.

The regional plan was presented to the Doña Ana County Planning and Zoning Commission for their review and comment. The Planning and Zoning Commission recommended approval of this plan to the Board of County Commissioners (BOCC). The BOCC approved the plan on February 12, 2012, by Resolution No. 2012-23. A copy of the meeting minutes showing the approval is in Appendix E.

### **3.2.2 Evaluation of Existing Ordinances (BMP5-2)**

The SWMP scheduled BMP5-2 to start during the fifth permit year, based on the BOCC adopting the One Valley, One Vision 2040 Regional Comprehensive Plan by the fourth permit year. Completion of the regional plan was delayed by forces beyond the County's control, which involved the coordination and cooperation of several municipalities and entities within the region. In the report submitted to EPA for the prior reporting cycle, Doña Ana County proposed a schedule change for BMP5-2. The County proposed to start BMP5-2 during the first full permit year after the Board of County Commissioners adopts the regional plan. As per the permit, this change was adopted when the EPA did not comment on it.

Since the BOCC adopted One Valley, One Vision 2040 during the past year, the County will start the evaluation of its planning, zoning and development ordinances next year. The evaluation will result in a list of recommended ordinance changes to implement post-construction BMPs based on the vision and objectives in the One Valley, One Vision 2040 Regional Comprehensive Plan. The recommended changes will focus on changes which will protect water quality and improve post-construction storm water management in line with the goals and strategies of the regional plan.

### **3.2.3 LID Information on Webpage (BMP5-3)**

The County posted a link to EPA's LID webpage ahead of schedule in the third permit year. The County maintained this link during the past year. The LID information received a total of 38 visits during the fifth permit year. The County will continue to track visits to the LID information for the remainder of the permit term.

### **3.2.4 LID Education (BMP5-4)**

The SWMP scheduled a LID workshop for permit year five. The County moved the workshop forward in the schedule and sponsored the "*Green Infrastructure in the Southwest: Challenges and Opportunities*" conference on August 26, 2010. No activity was scheduled for BMP5-4 during the past year.



### 3.2.5 Post-Construction BMP Training for Plan Reviewers (BMP5-5)

BMP5-5 was completed as scheduled during the third permit year. During permit year five, the County was scheduled to train any new plan reviewers. No new reviewers were hired in the past year, so none were trained.

During the past year, the County took advantage of an opportunity to provide previous pavement training for the plan reviewers. The training was a webinar on September 22, 2011, presented by Stormwater Magazine and Forester University. Information on the webinar is in Appendix E.

Next year the County will train any new plan reviewers and will take advantage of opportunities, as they become available, to provide additional post-construction BMP training for all of its plan reviewers.

### 3.2.6 Plan Review for Compliance with Development Design Standards (BMP5-6)

The purpose of this BMP is to ensure that post-construction storm water management controls are included in plans for development and redevelopment. Design of the post-construction storm water management controls are governed by the requirements in applicable Doña Ana County Ordinances and Standards, which are typically the Land Use and Zoning Regulations and the Development Design Standards.

During the fifth permit year, the County reviewed four sets of plans within the urbanized areas for conformance with post-construction storm water management requirements. Three of the plans were for subdivisions, and one was for a commercial building. The plans included designs for post-construction storm water management controls. Some plans contained multiple controls. Table 3 describes the controls included in the plans.

**Table 3. Storm Water Management Controls Reviewed**

TYPE OF CONTROL	NUMBER
Retention Ponds	5
Detention Ponds	2
Rock Lined Swale	1
Rock Lined Slope	1
<b>TOTAL</b>	<b>9</b>

The County will continue to review plans and track the number and types of post-construction storm water management controls during the permit continuance.

### 3.2.7 Construction Inspection for Compliance with Development Plans (BMP5-7)

The purpose of BMP5-7 is to verify development in the urbanized areas is constructed according to the plans reviewed and approved in BMP5-6. During the fifth permit year, six development projects started construction within the urbanized areas, in addition to construction projects which may have been on-going from the prior year. These development projects are a combination of ones that were reviewed during the fifth permit year (BMP5-6), such as El Mercado de Anthony and Centennial High School, and



development plans reviewed in prior years that did not start construction until this past year.

The inspectors in the County's Engineering Department attempt to visit each development construction site daily. All the sites are inspected a minimum of three times per week while construction is active. The inspections include checking the new storm water management controls to verify they are installed according to the plans reviewed and accepted by the County. Records of inspections are maintained by the individual inspectors. The County will work towards developing a means to track the number of times the inspectors inspect the storm water management controls during construction of a development.

### **3.2.8 Maintenance Agreement for Private Drainage Structures (BMP5-8)**

The County requires maintenance agreements before approving the final plat for developments with private ponds and other private drainage structures. An example of a maintenance agreement (Drainage Facility Agreement) is in Appendix E. During the past year, seven new private ponds were designed, and four of those were constructed within urbanized areas of Doña Ana County. Table 4 summarizes the ponds.

**Table 4. New Private Ponds with Maintenance Agreements**

<b>DEVELOPMENT NAME</b>	<b>URBANIZED AREA</b>	<b>NUMBER OF PONDS</b>
Centennial High School	Las Cruces	3
Iglesia de Jesus Cristo Apostolica	Las Cruces	1
El Mercado de Anthony	El Paso	1
Latter Day Saints Church	El Paso	2
<b>TOTAL</b>		<b>7</b>

### **3.2.9 LID Principles in Designs for New County Facilities (BMP5-9)**

In permit year five, the County was scheduled to include a clause in professional services contracts that requires architects and engineers to evaluate the feasibility of LID features when designing County facilities. The clause was developed and implemented as scheduled. A copy of the clause, as it appeared in a Request for Proposal (RFP), is in Appendix E.

## **4.0 ANALYSIS OF MONITORING DATA**

### **4.1 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL**

The Monitoring/Assessment Plan for construction site storm water runoff control is to:

- Track the number of County inspections for SWPPP compliance; and
- Track the percentage of the inspections that result in an enforcement action.

The SWMP scheduled construction site inspections to be implemented during the fifth permit year. The County spent most of the year developing its procedures, processes and forms to



inspect construction sites for compliance with the Storm Water Management Ordinance. The inspectors were trained on April 24, 2012, which left only two months in the permit year for tracking enforcement data. Two months is too short of a period for a meaningful assessment of the County's efforts to control pollutant discharges from construction sites. The assessment will start with the next reporting cycle.

#### 4.2 POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

The Monitoring/Assessment Plan for post construction storm water management is to:

- Track the number of development plans reviewed;
- Track the percentage of the reviewed plans that include a post-construction storm water management control to mitigate the development's effect on storm water quality; and
- Maintain an inventory of the location and types of post-construction controls constructed.

During the fifth permit year, the County reviewed a total of four development plans (BMP5-6) within the urbanized areas, of which 100% included a control for post-construction storm water management. The fifth permit year was the second year for monitoring development plan review, and the results were consistent with the first year. In both years, 100% of the development plans reviewed included a post-construction storm water control.

The post-construction controls reviewed during the past year have been added to the inventory started in permit year four. The combined inventory is in Table 5.

**Table 5. Inventory of Post-Construction Storm Water Management Controls  
(Reviewed July 2010 to June 2012)**

TYPE OF CONTROL	URBANIZED AREA	SUBDIVISION NAME	OWNERSHIP	NUMBER
Detention Pond	Las Cruces	Picacho Mountain Phase 3A	Developer/HOA	4
Arroyo Side Slope Protection	Las Cruces	Picacho Mountain Phase 3A	Developer/HOA	1
Rip-Rap Check Dams	Las Cruces	Picacho Mountain Phase 3A	Developer/HOA	1
Desilting Basin	Las Cruces	Picacho Mountain Phase 3A	Developer/HOA	1
Detention Pond	Las Cruces	Santa Rosa de Lima Church	Property Owner	1
Detention Pond	Las Cruces	Valley Cold Storage	Property Owner	1
Detention Pond (with outlet structure)	Las Cruces	Denco, Inc.	Property Owner	1
Detention Pond (with controlled outlet)	El Paso	Parque Homes	Developer	1
Detention Pond (rock side slopes)	El Paso	Dollar General	Property Owner	1
Retention Pond	Las Cruces	Centennial High School	Las Cruces Public Schools	1
Detention Pond	Las Cruces	Centennial High School	Las Cruces Public Schools	2
Retention Pond	Las Cruces	Iglesia de Jesus Cristo Apostolica	Lot Owner	1
Retention Pond	El Paso	El Mercado de Anthony	Lot Owner	1
Rock Lined Swale	El Paso	El Mercado de Anthony	Lot Owner	1



TYPE OF CONTROL	URBANIZED AREA	SUBDIVISION NAME	OWNERSHIP	NUMBER
Rock Lined Slope	El Paso	El Mercado de Anthony	Lot Owner	1
Retention Pond	El Paso	Latter Day Saints Church	Lot Owner	2
<b>TOTAL</b>				<b>21</b>

The above inventory is based on development plan review (BMP5-6). Some of the controls may not have been constructed. During the permit continuation, the County will revise the inventory and limit it to storm water management controls that have been constructed and inspected (BMP5-7).

## 5.0 INSPECTION AND ENFORCEMENT ACTIONS

### 5.1 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

The inspection program for construction site storm water runoff control was implemented at the end of April 2012. Data was tracked for only two months, May and June, before the end of the fifth permit year on June 30, 2012. The data are summarized in Table 6.

**Table 6. Construction Site Inspection and Enforcement**

ACTION	NUMBER
Initial Inspection	3
Follow-up Inspection	2
Written Warning	0
Notice of Violation	3
Citation	0
Stop Work Order	0
Other	0

### 5.2 POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

Inspections for compliance with development plans that include post-construction storm water management controls (BMP5-7) started during the fourth permit year and continued during the fifth permit year. During the permit continuation, the County will work on developing a means to track the number of infrastructure inspections and correlate them to enforcement actions for reporting to the EPA.



**DOÑA ANA COUNTY**  
**NPDES SMALL MS4 ANNUAL REPORT**  
**SEPTEMBER 2012**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2011 – JUNE 30, 2012**

**POLLUTION PREVENTION/GOOD HOUSEKEEPING**  
**FOR MUNICIPAL OPERATIONS (MCM #6)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer System (MS4) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports the County's progress towards meeting the goals of the last Minimum Control Measure (MCMs) required by the permit: **Pollution Prevention/Good Housekeeping for Municipal Operations**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report Certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
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- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
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## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
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## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

During the past year, the County's most significant accomplishments in pollution prevention and good housekeeping for municipal operations were:

- Achieving 100% licensing for the County's pesticide and herbicide applicators;
- Providing two storm water pollution prevention training sessions to all of the County's employees; and
- Implementation of a contract clause which requires a downstream erosion assessment and consideration of water quality when designing new flood control and drainage projects for the County.

Table 1 summarizes the status of the County's BMPs for pollution prevention/good housekeeping for municipal operations. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Pollution Prevention/Good Housekeeping for Municipal Operations**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)</b>	<b>PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)</b>
6-1	Roadway Cleaning	Roads	Track lane miles swept within urbanized areas and amount of debris collected	Completed	Track lane miles swept within urbanized areas and amount of debris collected
6-2	Road Culvert Maintenance	Roads	Track number of culverts inspected in urbanized areas and amount of debris collected	Delayed	Track number of culverts inspected in urbanized areas and amount of debris collected
6-3	Storm Inlet/Outlet Maintenance	Roads	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed	Delayed	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed
6-4	Storm Drain Pipe Maintenance	Roads	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed	Delayed	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed
6-5	Waste Management	Roads	Develop written Standard Operating Procedures for storage, hauling and disposal of sediment/debris removed from streets/drainage system	Completed	Review Standard Operating Procedures and revise as needed
6-6	Licensing of County Applicators	Facilities & Parks	Limit pesticide/herbicide use to licensed applicators	Completed	Limit pesticide/herbicide use to licensed applicators
6-7	Xeriscaping	Facilities & Parks	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants	Completed	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants
6-8	Trash Pick-up at Park Facilities	Facilities & Parks	Maintain regular trash collection, and track the volume collected	Completed	Maintain regular trash collection, and track the volume collected
6-9	Spill Cleanup Kits	Fleet & Sheriff's Office	Maintain spill cleanup kit in each County maintenance facility	Completed	Maintain spill cleanup kit in each County maintenance facility
6-10	Drip Pan Usage	Fleet & Sheriff's Office	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities	Completed	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities



BMP NO.	BMP DESCRIPTION	RESPONSIBLE DEPARTMENT	MEASURABLE GOALS PERMIT YEAR 5 (2011 - 2012)	PROGRESS ON GOALS PERMIT YEAR 5 (2011 - 2012)	PLANNED ACTIVITIES PERMIT CONTINUATION (2012 - 2013)
6-11	Good Housekeeping for Vehicle Maint. Facilities	Fleet & Sheriff's Office	Revise Fleet's plan as needed for the new facility and based on results of BMP6-12  Complete plan for Sheriff's facility	In-Progress	Revise Fleet's plan as needed for the new facility and based on results of BMP6-12  Complete plan for Sheriff's facility
6-12	Inspection of Vehicle Maint. Facilities	Fleet & Sheriff's Office	Complete inspection form for Sheriff's facility; perform quarterly inspections	In-Progress	Complete inspection form for Sheriff's facility; perform quarterly inspections
6-13	Minimization of Material Exposure	Roads & Facilities & Parks	Update inventory of materials stored outside	In-Progress	Update inventory of materials stored outside
6-14	Good Housekeeping for County Operations	Roads & Facilities & Parks	Revise procedures as needed based on results of BMP6-13	Completed	Revise procedures as needed based on results of BMP6-13
6-15	Storm Water Pollution Prevention Training	Roads, Fac. & Parks, Utilities, Comm. Dev., and Sheriff's Office	Train all employees who work outside	Completed	Train all employees who work outside
6-16	Facility BMP Training	Fleet, Roads, Facilities & Parks, and Sheriff's Office	Maintain a training log-in sheet showing that employees who are responsible for implementing BMPs are trained annually	Fleet – Completed Other Departments – Delayed	Maintain a training log-in sheet showing that employees who are responsible for implementing BMPs are trained annually
6-17	SWPPPs for County Projects	Engineering, Flood Commission and Utilities	Develop, implement, and inspect SWPPPs for County projects covered by the CGP	Completed	Develop, implement, and inspect SWPPPs for County projects covered by the CGP
6-18	Water Quality Criteria for County Flood Control and Drainage Projects	Engineering and Flood Commission	Include requirement in engineering services contracts to do a downstream assessment for erosion potential and evaluate water quality improvements before design reaches 50%	Completed	Include requirement in engineering services contracts to do a downstream assessment for erosion potential and evaluate water quality improvements before design reaches 50%

\*Table 1 is the same as Table 6 in the Annual Report Compliance Summary.



### **3.1 Roadway Cleaning (BMP6-1)**

BMP6-1 consists of regularly sweeping County roads to minimize the amount of road grit, sediment, trash and loose debris available for transport by storm water. The sweeper was in service for the majority of working days during the fifth permit year. The Roads Department uses a daily Street Sweeper Log to track the lane miles swept and the amount of material removed from the roads. Appendix F contains examples of the logs.

### **3.2 Road Culvert Maintenance (BMP6-2)**

Keeping road culverts clear of sediment, trash and debris reduces the amount of material that is washed into receiving water with storm water discharges. The County initiated BMP6-2 during the third permit year; however, the maintenance activity has been suspended since the fourth permit year due to resource constraints. The County plans to resume maintenance of road culverts within the urbanized areas at the earliest possible time and will track the amount of material that is removed.

### **3.3 Storm Inlet/Outlet Maintenance (BMP6-3)**

Routine inspection and maintenance of storm inlets and outlets provides an opportunity to remove pollutants from the MS4. The County initiated BMP6-3 during the third permit year; however, the maintenance activity has been suspended since the fourth permit year due to resource constraints. The County plans to resume inlet/outlet maintenance within the urbanized areas at the earliest possible time and will track the amount of material that is removed.

### **3.4 Storm Drain Pipe Maintenance (BMP6-4)**

In the third permit year, the County was using a vacuum truck to clean and remove pollutants from storm drain pipes within the urbanized areas. The vacuum truck went out of service during the fourth permit year, and this activity has not occurred since that time due to resource constraints. The County plans to resume pipe maintenance within the urbanized areas at the earliest possible time and will track the amount of material that is removed.

### **3.5 Waste Management (BMP6-5)**

The goal of BMP6-5 is to ensure that the material removed from the MS4 by BMPs 6-1 through 6-4 is managed and disposed of in a manner that minimizes the potential for it to discharge pollutants back into the MS4. In the fifth permit year, the County was scheduled to develop written Standard Operating Procedures for storing, hauling, and disposing of sediment and debris removed from the MS4. The procedures were completed as scheduled. A copy of the procedures is in Appendix F.

### **3.6 Licensing of County Applicators (BMP6-6)**

In the fourth permit year, the County identified the pesticides and herbicides that it applies to County property and reviewed the licensing requirements for the substances. The County routinely applies the following "General Use" pesticides/herbicides: Honcho Plus; Roundup; Agnique-MMF; AltoSid; and Demand CS. In the State of New Mexico, government employees are allowed to apply "General Use" substances without an applicator's license; however, a commercial applicator is required to be licensed to apply the same substances.



With BMP6-6, the County voluntarily adopted licensing for its employees. Obtaining an applicator's license requires employees to demonstrate by testing that they are properly trained to protect themselves, the public, and the environment when storing, handling, applying, and disposing of pesticides and herbicides.

In the past, all of the "General Use" substances, except for Honcho Plus and Roundup, were applied by the County's five Vector Control employees. These employees hold Public Applicator's Licenses. Honcho Plus and Roundup were historically applied by unlicensed Parks employees. In permit year four, the County changed its procedures so that the licensed applicators applied all of the substances, including Honcho Plus and Round Up. During permit year five, the County selected Parks employees to train and test for the Public Applicator's License. Parks employees were licensed and resumed applying pesticides/herbicides during permit year five. Copies of their licenses are in Appendix F.

The County also applies Aqualuer 20-20, which is a "Government Use" pesticide. It can only be purchased and applied by government employees with a Public Applicator's License. Application of this pesticide is limited to the five vector control employees who are licensed.

### **3.7 Xeriscaping (BMP6-7)**

The goal of this BMP is to use native and adaptive plants for landscaping in the County. During the past permit year, the County did no new landscaping projects. The County will continue to use native and adapted plants for landscaping projects, if any, during permit continuance.

### **3.8 Trash Pick-up at Park Facilities (BMP6-8)**

Keeping the County's parks free of litter and debris reduces the amount of floatables that could be discharged with storm water. During the fifth permit year, trash was collected from the County's parks weekly. Weight tickets documenting the amount of trash removed are kept at the Parks Department office. Regular trash collection will continue at the County's parks during permit continuance.

### **3.9 Spill Cleanup Kits (BMP6-9)**

Availability and proper use of spill cleanup kits reduces the amount of pollutants that could enter storm water runoff at County's vehicle maintenance facilities. During permit year five, the Fleet Department maintained three spill kits at their facility and one on their service truck. All of the kits are in good condition and required no updating or replacement during the year. The Fleet Department will continue to maintain and update portions or replace whole spill kit as required during the permit continuance.

The Sheriff's Office operates a separate maintenance facility for the Sheriff's vehicles. During the past permit year, the Sheriff's Office Fleet Coordinator position was vacant until a new Fleet Coordinator started work in March 2012. Due to the delay in filling this position, activities related to pollution prevention were delayed to the permit continuance period. The facility made a spill kit purchase in September 2012, to replace the dry absorbent it had been using in the past.



### **3.10 Drip Pan Usage (BMP6-10)**

Leaking vehicles awaiting repair at the County's vehicle maintenance facilities are a potential source of storm water pollutants. During the fifth permit year, the County's Fleet Department monitored parked vehicles and placed drip pans under any leaking vehicles. The Fleet Department purchased one additional containment pan in the past year.

During the fifth permit year, the Sheriff's fleet maintenance facility inspected daily all parked vehicles for leaks and spills. If any leaks or spills were noticed, the vehicle was immediately taken inside the shop for maintenance. The facility has drip pans and containment pans to place under leaking vehicles. The fleet maintenance facility intends to purchase more drip pans for the same use in the permit continuance period.

### **3.11 Good Housekeeping for Vehicle Maintenance Facilities (BMP6-11)**

Fleet Department made significant revisions to its Pollution Prevention Plan, including good housekeeping procedures, during the fourth permit year. During the fifth permit year, the County was scheduled to perform quarterly inspections of the vehicle maintenance facility (BMP6-12) and revise the plan as needed. The Fleet Department did not have any revisions to their Pollution Prevention Plan during permit year five.

The Fleet Department is scheduled to open a new fleet shop and vehicle wash facility in September of 2012. The new facility will have a wash water recycling unit and an indoor storage area for liquids and other materials. These improvements will assist in reducing storm water pollutants. The Fleet Department's good housekeeping procedures will be revised during permit continuance, if any changes are required for the new fleet shop and vehicle wash facility.

In the past, the Sheriff's vehicle maintenance facility had standard good housekeeping and pollution prevention procedures, but nothing was written. During the fifth permit year, they were scheduled to develop a written Pollution Prevention Plan with good housekeeping procedures. This action was delayed due to the change in Fleet Coordinator and will be completed during the permit continuance period.

### **3.12 Inspection of Vehicle Maintenance Facilities (BMP6-12)**

The goal for this BMP during permit year five was for Fleet Department to quarterly inspect their facility to verify the Pollution Prevention Plan (BMP6-11) is properly implemented. The quarterly inspections started in January 2012. Copies of the inspection reports are in Appendix F.

During permit year five, the Sheriff's fleet maintenance facility was scheduled to develop a similar self-inspection form and begin quarterly inspections. This action was delayed due to the change in Fleet Coordinator and will be completed during permit continuance period.

### **3.13 Minimization of Material Exposure (BMP6-13)**

BMP6-13 consists of annually inventorying materials and wastes exposed to storm water to see if the County's good housekeeping procedures (BMP6-14) require revisions. The prior annual report (2011) contained the initial inventories for Roads Department, Vector Control, and Facilities Maintenance. Parks was omitted, because they were in the process of building a new facility after losing their previous facility in a fire. The inventory of materials and wastes



exposed to storm water at the Parks' facility was scheduled for the fifth permit year, but it was delayed. The inventory was completed in August 2012, before the submission of this annual report. A copy of Park's inventory is in Appendix F.

Roads Department, Vector Control and Facilities Maintenance were scheduled to re-inventory their facilities during the fifth permit year. This activity was delayed and is in-progress at the time the annual report is submitted.

### **3.14 Good Housekeeping for County Operations (BMP6-14)**

During the fifth permit year, the County was scheduled to revise good housekeeping procedures for the Roads Department, Vector Control and Facilities Maintenance, as needed based on results of the annual inventories (BMP6-13). The County determined that no revisions were necessary. The good housekeeping procedures developed during the fourth permit year remain in effect.

### **3.15 Storm Water Pollution Prevention Training (BMP6-15)**

Employees who work outside have the potential to generate storm water pollution as they perform daily tasks. These employees can also be the County's "eyes and ears" in the field to detect potential illicit discharges. General training in storm water pollution awareness and prevention can assist the County in achieving the goals of its SWMP.

For the fifth permit year, the County developed two presentations on storm water pollution prevention. The first one was presented on February 6, 2012, and the second one was presented on March 5, 2012. The presentations were part of the County's Risk Awareness Program, which is attended by all of the County's employees, including those who work outdoors. Copies of the presentations are in Appendix F.

### **3.16 Facility BMP Training (BMP6-16)**

The goal of BMP6-16 is to annually train the employees who have responsibilities to implement the good housekeeping procedures developed in BMP6-11 and BMP6-14. In permit year five, the Fleet Department conducted training on its Pollution Prevention Plan. A copy of the sign-in sheet is in Appendix F. Employees in Roads Department and Facilities and Parks Department were trained in permit year four, but their annual training scheduled for permit year five was delayed.

### **3.17 SWPPP for County Projects (BMP6-17)**

Implementing a SWPPP on County construction projects minimizes pollutant discharges from the construction activities and maintains the County's compliance with the NPDES General Permit for Storm Water Discharges from Construction Activities. Table 2 shows the County's construction projects during the fifth permit year. The County implemented a SWPPP on all projects required to have a SWPPP under the NPDES Construction General Permit.



**Table 2. County Construction Projects**

PROJECT NAME	RESPONSIBLE DEPARTMENT	SWPPP STATUS	COUNTY NPDES TRACKING NUMBER
Westmoreland Road Improvements	Engineering	Implemented	NMR10HK03
Luna Azul	Engineering	Implemented	NMR10HK31
Santa Teresa Arsenic Treatment Facility	Utilities	Implemented	NMR10HM34
Frodo Road	Engineering	Implemented	NMR10HK66
Hazmat Facility	Parks and Facilities	Implemented	TBD
Santa Teresa Well #3 and Transmission Line	Utilities	Implemented	NMR10HK21
Fleet Maintenance Facility	Parks and Facilities	Implemented	NMR10HK55
Crisis Triage Center	Parks and Facilities	Implemented	NMR12A810

### 3.18 Water Quality Criteria for County Flood Control and Drainage Projects (BMP6-18)

The purpose of BMP6-18 is to consider water quality impacts when the County designs new flood control and drainage projects. During the fifth permit year, the County developed a contract clause that requires the designer of record to:

- Evaluate downstream flow conditions to ensure the project does not increase downstream erosion; and
- Evaluate the feasibility of incorporating design features to improve water quality.

The above evaluation is required before the project design is 50% completed. Appendix F contains an example of the clause, as it appears in Requests for Proposal (RFP) and contracts.

## 4.0 ANALYSIS OF MONITORING DATA

The Monitoring/Assessment Plan for municipal operations is to:

- Track the amount of material removed from the MS4 in the urbanized areas;
- Track the percentage of County employees applying a pesticide or herbicide who are licensed applicators;
- Track results of quarterly self-inspections at the County's vehicle maintenance facilities and the percentage of problems that are corrected within three working days;
- Track the percentage of material exposed to storm water that is removed, covered, or provided with a BMP to reduce the pollution potential; and
- Track the percentage of County flood control and drainage projects that incorporate a design feature to improve water quality.

### 4.1 MS4 Cleaning

Except for street sweeping, MS4 cleaning activities were delayed in permit year five due to resource constraints. The County will start to monitor the amount of sediment, trash and debris removed from the MS4 when the cleaning activities resume.



#### 4.2 Pesticides and Herbicides

In permit year four, the County determined that 45% of employees who applied a pesticide or herbicide held an NMDA Public Applicator's License in permit year four. During permit year five, the County supported Parks employees in obtaining their license (BMP6-5). The County now has 100% licensing of employees who apply a pesticide or herbicide. The licensing report is at the end of Appendix F.

#### 4.3 Fleet Maintenance Facilities

The Fleet Department checks 53 activities in its Pollution Prevention Plan during their quarterly facility inspection. They started the quarterly inspections in January 2012 and completed two inspections during the fifth permit year. Table 3 summarizes the results.

**Table 3. Assessment of Fleet Department's Quarterly Inspections**

INSPECTION DATE	NUMBER OF ACTIVITIES INSPECTED	NUMBER OF ACTIVITIES WITH NO FINDINGS	NUMBER OF ACTIVITIES WITH FINDINGS	ACTIVITIES REQUIRING CORRECTION
01-13-2012	53	42	11	21%
04-05-2012	53	43	10	19%

From the first to the second inspection, Fleet Department experienced a slight improvement in its implementation of the Pollution Prevention Plan. As Fleet's employees embrace the pollution prevention activities during the next year, the County anticipates the results of the assessment to continue a downward trend in activities that require corrective actions following an inspection.

During the permit continuance, Fleet Department will start to track the number of corrective actions which occur within three working days of the inspection. The Sheriff's Office will also start to inspect their vehicle maintenance facility and initiate a similar assessment of the Pollution Prevention Plan implementation at their facility.

#### 4.4 Outdoor Material Storage

During permit year four, the County performed its base line inventory of material stored outside and exposed to storm water at facilities operated by Roads, Vector Control and Facilities (BMP6-13). The base line inventory for Parks was delayed until September 2012, due to a fire at their old facility and construction of a new facility. For all of these departments, assessment of their progress in reducing potential pollutants will be performed after completion of their next inventory.

#### 4.5 Flood Control and Drainage Projects

The County constructed no new flood control or drainage projects during the past year; therefore, the County did not have the opportunity to assess its effectiveness in incorporating water quality features in its projects.