

Environmental Assessment for the Construction and Operation of the Westside Shoppette/Gas Station at Kirtland Air Force Base, Albuquerque, Bernalillo County, New Mexico

FINAL
January 2009



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14. ABSTRACT AAFES proposes to construct and operate a new shoppette/gas station for use by authorized patrons at Kirtland Air Force Base (Kirtland AFB), Albuquerque, Bernalillo County, New Mexico. The preferred site (Alternative 3) for the Proposed Action would involve the construction of the proposed facility in a location that complies with the Kirtland AFB General Plan (Kirtland AFB 2002). The existing AAFES shoppette is outdated and is unable to meet customer demand and convenience. In addition, the existing facility cannot be updated to meet current code. The construction of the new facilities would enhance customer services on the Base and would provide AAFES and the Kirtland AFB Morale, Welfare, and Recreation program with additional revenue. Under the No Action Alternative, AAFES would not construct the new facilities and Kirtland AFB patrons would continue to utilize outdated facilities that have exceeded their useful life and are presently unable to meet customer demand. This Environmental Assessment (EA) evaluates the Preferred Alternative and the No Action Alternative. Resources evaluated in this EA include: traffic; visual resources/aesthetics; topography geology and soils; air quality; biological resources; cultural resources; water resources; hazardous materials and waste; socioeconomics; environmental justice; and protection of children. No significant impacts would result from the implementation of the Proposed Action or the No Action Alternative.					
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Proposed Action: Construction and operation of a new shoppette/gas station facility. New construction would total 4,940 square feet and include retail gasoline sales, a canopy roofing system, and 32 parking spaces.

Report Designation: Environmental Assessment.

Responsible Agency: Department of Air Force.

Point of Contact: Mr. Greg Smith, Project Engineer/Manager, Army and Air Force Exchange Service (AAFES), HQ AAFES, 3911 South Walton Blvd., Dallas, TX 75236-1598, 214-312-2109, SmithGregory@aafes.com.

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Abstract: AAFES proposes to construct and operate a new shoppette/gas station for use by authorized patrons at Kirtland Air Force Base (Kirtland AFB), Albuquerque, Bernalillo County, New Mexico.

The preferred site (Alternative 3) for the Proposed Action would involve the construction of the proposed facility in a location that complies with the Kirtland AFB General Plan (Kirtland AFB 2002). The existing AAFES shoppette is outdated and is unable to meet customer demand and convenience. In addition, the existing facility cannot be updated to meet current code. The construction of the new facilities would enhance customer services on the Base and would provide AAFES and the Kirtland AFB Morale, Welfare, and Recreation program with additional revenue.

Under the No Action Alternative, AAFES would not construct the new facilities and Kirtland AFB patrons would continue to utilize outdated facilities that have exceeded their useful life and are presently unable to meet customer demand.

This Environmental Assessment (EA) evaluates the Preferred Alternative and the No Action Alternative. Resources evaluated in this EA include: traffic; visual resources/aesthetics; topography, geology and soils; air quality; biological resources; cultural resources; water resources; hazardous materials and waste; socioeconomics; environmental justice; and protection of children. No significant impacts would result from the implementation of the Proposed Action or the No Action Alternative.

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Acronyms and Abbreviations

AAFES	Army and Air Force Exchange Service
AFB	Air Force Base
AFI	Air Force Instruction
BMP	best management practice
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CH ₄	methane
CO	carbon monoxide
CO ₂	carbon dioxide
CO _{2EQ}	carbon dioxide equivalent
EA	Environmental Assessment
EO	Executive Order
EPA	U.S. Environmental Protection Agency
FONSI	Finding of No Significant Impact
GWPs	Global Warming Potentials
HAP	Hazardous Air Pollutants
IPCC	Intergovernmental Panel on Climate Change
LEED	Leadership in Energy and Environmental Design
LOS	level of service
MBTA	Migratory Bird Treaty Act
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NC	New Construction
NEPA	National Environmental Policy Act
NMAC	New Mexico Administrative Code
NOI	Notice of Intent
NOT	Notice of Termination
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
O ₃	ozone

Environmental Assessment

OPS	operations
Pb	lead
PM ₁₀	particulate matter 10 microns or less in diameter
PM _{2.5}	particulate matter less than 2.5 microns in diameter
PSD	Prevention of Significant Deterioration
RCRA	Resource Conservation and Recovery Act
SO ₂	sulfur dioxide
SPCC	spill prevention, control, and countermeasures
SWPPP	stormwater pollution and prevention plan
tpy	tons per year
U.S.C.	United States Code
UFC	Unified Facilities Criteria
USAF	United States Air Force
VOC	volatile organic compound

1 Purpose and Need for the Action

1.1 Introduction and Background

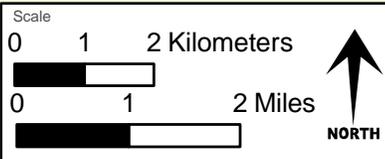
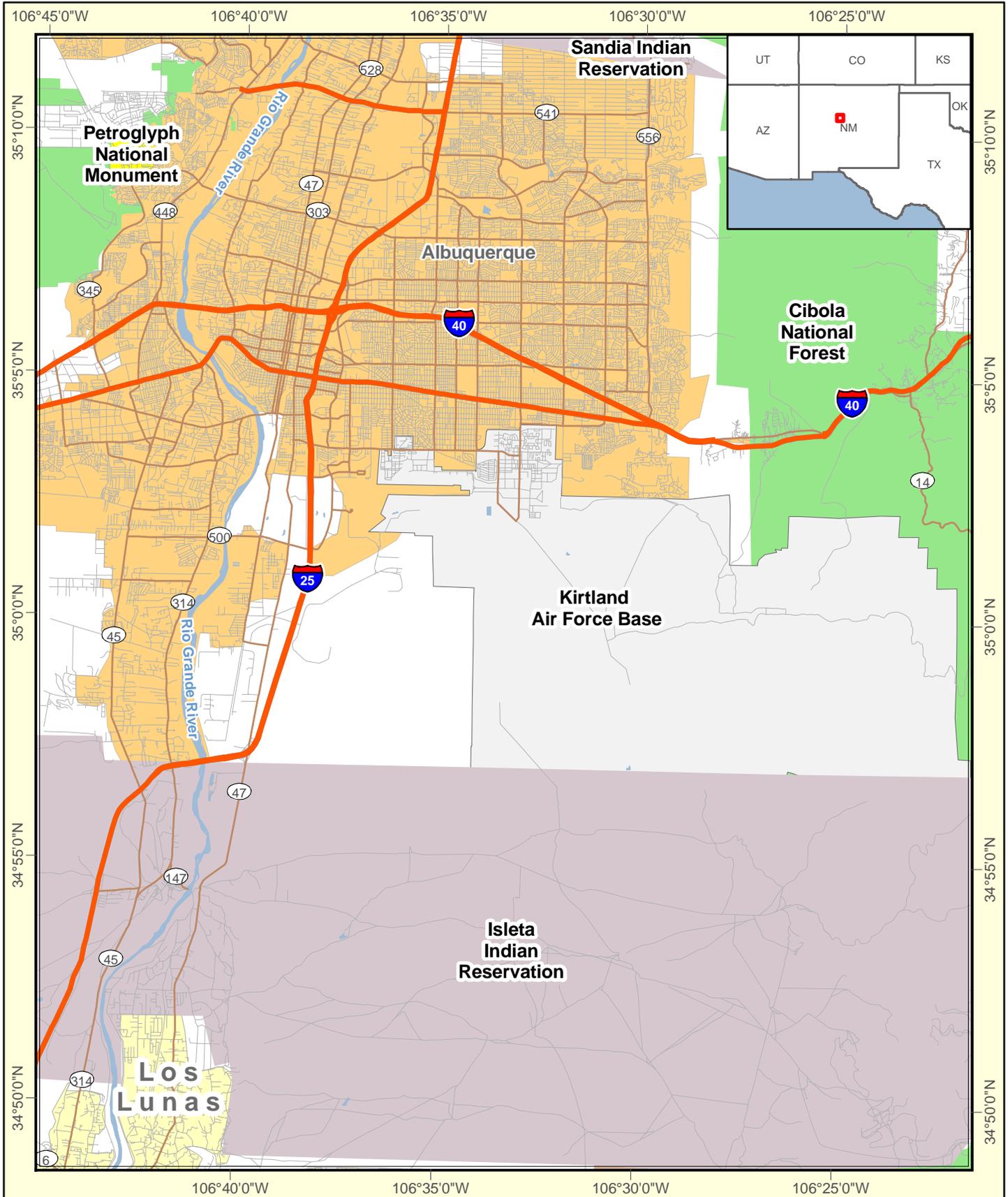
The Army and Air Force Exchange Service (AAFES) proposes to construct and operate a shoppette/gas station facility at Kirtland Air Force Base (Kirtland AFB) in Albuquerque, Bernalillo County, New Mexico (Figure 1-1). This Environmental Assessment (EA) addresses the potential impacts related to the construction and operation of the new facilities and the associated permit requirements. In addition, this report identifies mitigation measures to minimize the potential environmental consequences associated with the implementation of the Proposed Action. This EA does not address the final disposition of the existing AAFES facility (Building 471); however, at this time, it is understood that operations at the existing facility will cease upon the transfer to the new shoppette/gas station facility (Parker 2008).

Kirtland AFB is the sixth-largest U.S Air Force Base, encompassing 51,588 acres. The 377th Air Base Wing of the Air Force Materiel Command is the host unit, whose mission is to provide world-class nuclear surety, expeditionary forces, and support to base operations. The 377th Air Base Wing hosts more than 76 federal government and 100 associate units.

1.2 Purpose and Need for the Proposed Action

The purpose of the action is to better serve the needs of the military community through the improvement of shopping and other services. The existing AAFES facility (Building 471) was constructed in 1954 and is unable to adequately satisfy the Base demand for gasoline and retail services. The age of the existing facility is such that building upgrades cannot be accomplished to meet current building standards. Construction of a new shoppette/gas station facility would increase the size and improve the condition of the current facility, as well as increase the value to potential customers. A new gas station would improve the existing infrastructure while also increasing services to customers. Further, Base personnel would benefit from the additional contribution to the Base's Morale, Welfare, and Recreation program budget from the increased AAFES revenues.

The need for this action is to provide consolidated, centrally located facilities on Kirtland AFB where authorized customers can obtain multiple services at a single location. This would reduce the need to travel off-Base and allow customers to make a single stop for multiple services on the Installation. In addition, building improvements would increase energy efficiency and reduce overall operational costs.



**Figure 1-1: Regional Location Map
Kirtland Air Force Base
Albuquerque, New Mexico**

Source: ESRI, 2005
ecology and environment, inc.
International Specialists in the Environment

1.3 Decision to be Made

The United States Air Force (USAF) must decide, based on the analyses contained herein, whether a finding of no significant impact (FONSI) is applicable or whether the preparation of an Environmental Impact Statement is required or if no action will be taken.

Under the National Environmental Policy Act (NEPA), federal agencies are required to consider the environmental consequences of proposed actions during the decision-making process. The intent of NEPA is to foster and promote general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans. The Council on Environmental Quality (CEQ) was established under NEPA to guide the implementation of the NEPA process and, in 1978, issued regulations towards this end. (Title 40 Code of Federal Regulations [CFR] Parts 1500-1508).

1.4 Applicable Regulatory Requirements

The NEPA of 1969 (Public Law 91-190, 42 United States Code [U.S.C.] §4321 et. seq.) is a federal agency mandate for a systematic, interdisciplinary approach to environmental planning and decision making. The intent of NEPA is to minimize adverse impacts to the human environment through information availability, the development of alternative actions, and the implementation of mitigation measures.

This EA was prepared in accordance with NEPA; the CEQ regulations implementing NEPA (40 CFR §§1500-1508); and the Department of the Air Force “Environmental Impact Analysis Process” (Air Force Instruction [AFI] 32-7061 as promulgated by 32 CFR Part 989).

Other environmental regulatory requirements relevant to the Proposed Action include, but are not limited to the following:

- Archeological Protection Act, 16 U.S.C 470 et. seq.;
- Clean Air Act, 42 U.S.C. 7401 et. seq.;
- Clean Water Act, 33 U.S.C. 1251 et. seq.;
- Endangered Species Act, 16 U.S.C. 1531 et. seq.;
- Energy Independence and Security Act, H.R.6. P.L. 110-140
- Migratory Bird Treaty Act, 16 U.S.C. 703 et. seq.;
- National Historic Preservation Act, 16 U.S.C 470 et. seq.;
- Noise Control Act, 42 U.S.C 4901 et. seq.;
- Occupational Safety and Health Act, 29 U.S.C. 651 et. seq.;

- Pollution Prevention Act, 42 U.S.C. 13101 et. seq
- Resource Conservation and Recovery Act, 42 U.S.C. 6901 et. seq.; and
- Toxic Substances Control Act, 15 U.S.C. 2601 et. Seq.

In addition, the Proposed Action must comply with a number of Executive Orders (EOs) to include the following:

- EO 11514, Protection and Enhancement of Environmental Quality;
- EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
- EO 13045, Protection of Children from Environmental Health Risks and Safety Risks;
- EO 13175, Consultation and Coordination with Indian Tribal Governments; and
- EO 13186, Responsibilities of Federal Agencies to Protect Migratory Birds.

Table 1-1		
Environmental, Safety, and Health Compliance Requirements		
Source	Responsible Entity	Requirement
Kirtland Air Force Base (AFB), Comprehensive Plan - General Plan	Kirtland AFB	Consistency
Kirtland AFB Architectural Compatibility Plan	Kirtland AFB	Consistency
Kirtland AFB Hazardous Waste Management Plan	Kirtland AFB	Consistency
Kirtland AFB Spill Prevention Control and Countermeasures (SPCC) Plan	Kirtland AFB	Consistency
Kirtland AFB Integrated Natural Resources Management Plan	Kirtland AFB	Consistency
Kirtland AFB Integrated Cultural Resources Management Plan (includes compliance with the Kirtland AFB inadvertent discovery procedures)	Kirtland AFB	Consistency
Kirtland AFB Prairie Dog Management Program	Kirtland AFB	Consistency
National Pollutant Discharge Elimination System (NPDES) Construction General Permit	Army and Air Force Exchange Service	Preparation and Submittal of Notice of Intent (NOI), preparation of a Stormwater Pollution Prevention Plan (SWPPP), and a Notice of Termination (NOT)
City of Albuquerque Environmental Health Department, Air Quality Division	Army and Air Force Exchange Service	Preparation and Submittal of a Fugitive Dust Control Permit within 10 business days prior to construction. No active operations shall commence until a department manager, supervisor, scientist, field operations officer or health specialist signs the fugitive dust

Table 1-1		
Environmental, Safety, and Health Compliance Requirements		
Source	Responsible Entity	Requirement
		control construction permit and a copy of the signed permit is available at the site of active operations ^(a)
City of Albuquerque Environmental Health Department, Air Quality Division	Army and Air Force Exchange Service	The Authority to Construct Permit (20.11.41 NMAC) must be obtained prior to work commencing.
New Mexico Petroleum Storage Tank Regulations	Army and Air Force Exchange Service	New and Upgraded Storage Tank Systems: Design, Construction and Installation

Notes:

(a) See Appendix A of this Environmental Assessment (EA).

Key:

NMAC = New Mexico Administrative Code.

1.5 Organization of the Document

This EA follows the format established in 32 CFR Part 989, the USAF guidelines for implementing the CEQ regulations (40 CFR §1502). Section 1 presents the purpose and need for the action. The alternatives, including the consideration of alternative sites for the Proposed Action, are described in Section 2. The affected environment and environmental consequences are detailed in Sections 3. Section 4 presents the distribution of the EA and a list of document preparers. Section 5 provides a list of references utilized in the preparation of this EA. Other documents and resources used to supplement this EA are provided as appendices to this report.

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2 Description of the Proposed Action and Alternatives

This section describes the Proposed Action, the site selection process, alternatives, and the Preferred Alternative. The No Action Alternative is carried forward for analysis as a baseline to which all other alternatives are compared in accordance with NEPA Part 1502.14(d). Alternatives that do not support the purpose and need for the action as described in Section 1 are not considered to be valid options.

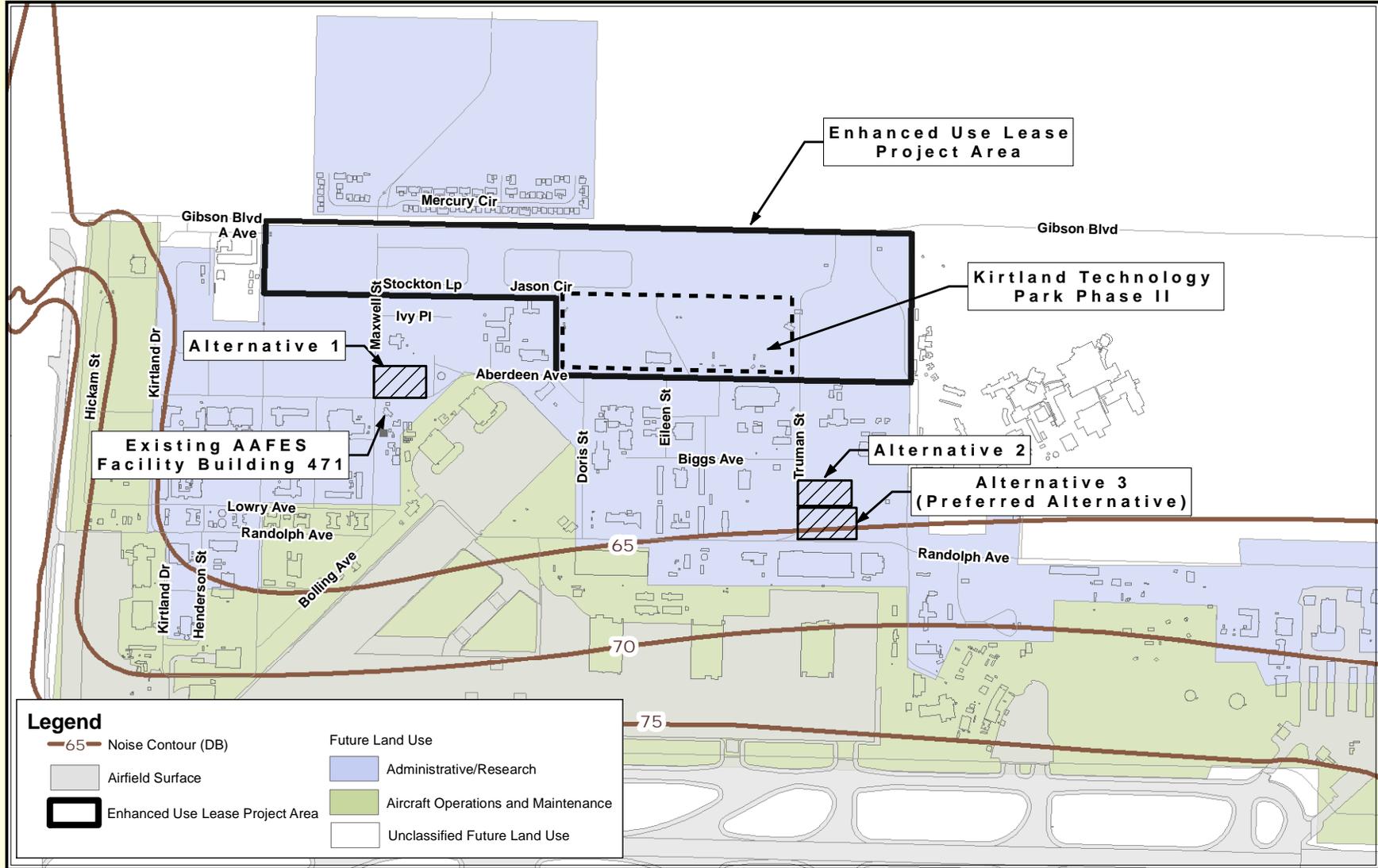
2.1 Description of the Proposed Action

AAFES proposes to construct and operate a new 4,940-square-foot shoppette/gas station facility on a 3.0 acre undeveloped site located on the northeast corner of the Truman Street and Randolph Avenue intersection (Figure 2-1).

Construction would consist of a reinforced concrete slab/foundation with steel or concrete framing, including complete mechanical, electrical, and life/safety systems. The proposed facility would be designed in accordance with Leadership in Energy and Environmental Design (LEED)-New Construction (NC) standards. However, AAFES does not intend to pursue certification for this facility. The proposed facilities would connect to existing utility services and communications systems and would provide for pavement, walks, curbs, gutters, storm drainage, retention walls, and other site improvements, as necessary. These collocated facilities would include retail gasoline sales through the installation of two 12,000-gallon vaulted tanks; four multi-product dispensers with eight pumps; a canopy roofing system; and 32 parking spaces for use by authorized patrons at Kirtland AFB. New construction would be in accordance with all applicable Department of Defense Unified Facilities Criteria (UFC) provisions. Construction is expected to last approximately eight months.

2.2 Alternatives Development Process

Proposed sites were identified according to the size of the parcel and the ability of the site to meet the alternatives selection criteria. Kirtland AFB planners and AAFES staff identified the following three alternatives (Figure 2-1) as potentially suitable for the development of the Proposed Action.



Legend

- Noise Contour (DB)
- Airfield Surface
- Enhanced Use Lease Project Area
- Future Land Use: Administrative/Research
- Future Land Use: Aircraft Operations and Maintenance
- Future Land Use: Unclassified Future Land Use

Scale

0 0.125 0.25
 Kilometers

0 0.125 0.25
 Miles



Figure 2-1: Future Land Use and Alternative Site Locations Kirtland Air Force Base Albuquerque, New Mexico

Source: Kirtland AFB, 2008



2.2.1 Site-Selection Criteria

In accordance with 32 CFR Part 989.8(c), the development of site-selection criteria is an effective mechanism for the identification, comparison, and evaluation of reasonable alternatives. The following site-selection criteria were developed to be consistent with the purpose and need for the action and to address pertinent environmental, safety, and health factors. These site-selection criteria were used to evaluate alternative sites for the Proposed Action (Table 2-1) and to identify reasonable alternatives for evaluation in this EA:

- **Must Be Consistent with AAFES Mission.** AAFES aims to provide adequate services to Base personnel in a timely and efficient manner through the establishment of central, collocated facilities with high visibility. The site must be located in a highly visible and accessible area of Kirtland AFB.
- **Must Have Adequate Space and Infrastructure to Accommodate New Facilities.** The site must provide adequate space (approximately 3.0 acres of land) to accommodate the Proposed Action. In addition, the site location must provide safe and efficient connectivity to existing infrastructure (i.e., utilities and transportation).
- **Must Be in Compliance with the Kirtland AFB Comprehensive Plan – General Plan.** Construction of the new AAFES facility must not conflict with the long-range development plans of Kirtland AFB. New development must be consistent with the General Plan, giving adequate consideration to the existing functional relationships that support the mission.
- **Must Provide for Safe and Efficient Traffic Flow.** The site must allow for safe vehicular access and provide minimal impacts on existing traffic flow at Kirtland AFB.

2.2.2 Alternatives

The following sections introduce the alternative site locations and summarize each siting alternative against the site-selection criteria. In general, Alternatives 1 and 2 do not meet all the proposed site evaluation criteria and will not be considered in subsequent sections of this analysis. Only Alternative 3 meets all the site evaluation criteria, therefore only Alternative 3 and the No Action Alternative will be considered further in the remaining sections of this document.

Alternative 1

The proposed site is approximately 2.6 acres. The existing land use for the site is designated as Administrative/Research in the Kirtland AFB General Plan (Kirtland AFB 2002). The site is vacant and is located on the northeast corner of the intersection of Aberdeen Avenue and Maxwell Street, north of the existing AAFES facility (Building 471).

Evaluation of Alternative 1 against the site-selection criteria concluded that this alternative fails to comply with several of the site-selection criteria as described above. More specifically, this

site does not provide enough space to accommodate all facilities and the desired number of parking spaces, traffic flow patterns would be less than optimal, and existing utility lines on the property would need to be relocated to incorporate the proposed facility. Therefore, Alternative 1 will not be evaluated further in this EA.

Alternative 2

The proposed site is approximately 1.7 acres. This proposed site is situated on Aircraft Operations and Maintenance and Administrative/Research as designated in the Kirtland AFB General Plan. The site is vacant and is located adjacent to, and north of, the Preferred Alternative site (Alternative 3 site) on Truman Street.

Evaluation of Alternative 2 against the site-selection criteria concluded that this alternative meets all except one of the site-selection criteria. This site offers a central location desired by AAFES and Base personnel, access to infrastructure required by the project, and would be consistent with Kirtland AFB General Plan. However, this property lacks the space necessary for the construction of the proposed facility and the site would be accessible only from Truman Street, creating traffic flow and safety concerns for customers and vendors. Therefore, Alternative 2 will not be evaluated further in this EA.

Alternative 3

The proposed site is approximately 3.0 acres. The existing land use for the site is designated Aircraft Operations and Maintenance in the Kirtland AFB General Plan. The site is vacant and is bounded by a large vacant property to the north, an existing parking lot to the east, Randolph Avenue to the south beyond which is Building 1010, and Truman Street to the west

Evaluation of Alternative 3 against the site-selection criteria concluded that this alternative meets all the site-selection criteria. As such, this site would provide the central location desired by AAFES and Base personnel, would be in compliance with the land use compatibility, and would be compatible with other current and future projects. In addition, the facility site location would provide connectivity to existing utility services. Further, the site is accessible from both Truman Street and Randolph Avenue, which would minimize traffic flow and safety concerns while allowing flow-through traffic for customers and deliveries. This alternative is discussed in detail in subsequent sections.

**Table 2-1
 Comparison of Alternative Sites for the Proposed Action**

Alternative Site Locations	Selection Criteria			Safe and Efficient Traffic Flow
	High Visibility and Accessibility	Space and Infrastructure	Land Use Consistency	
Alternative 1	No	No	Yes	No
Alternative 2	Yes	No	Yes	No
Alternative 3	Yes	Yes	Yes	Yes

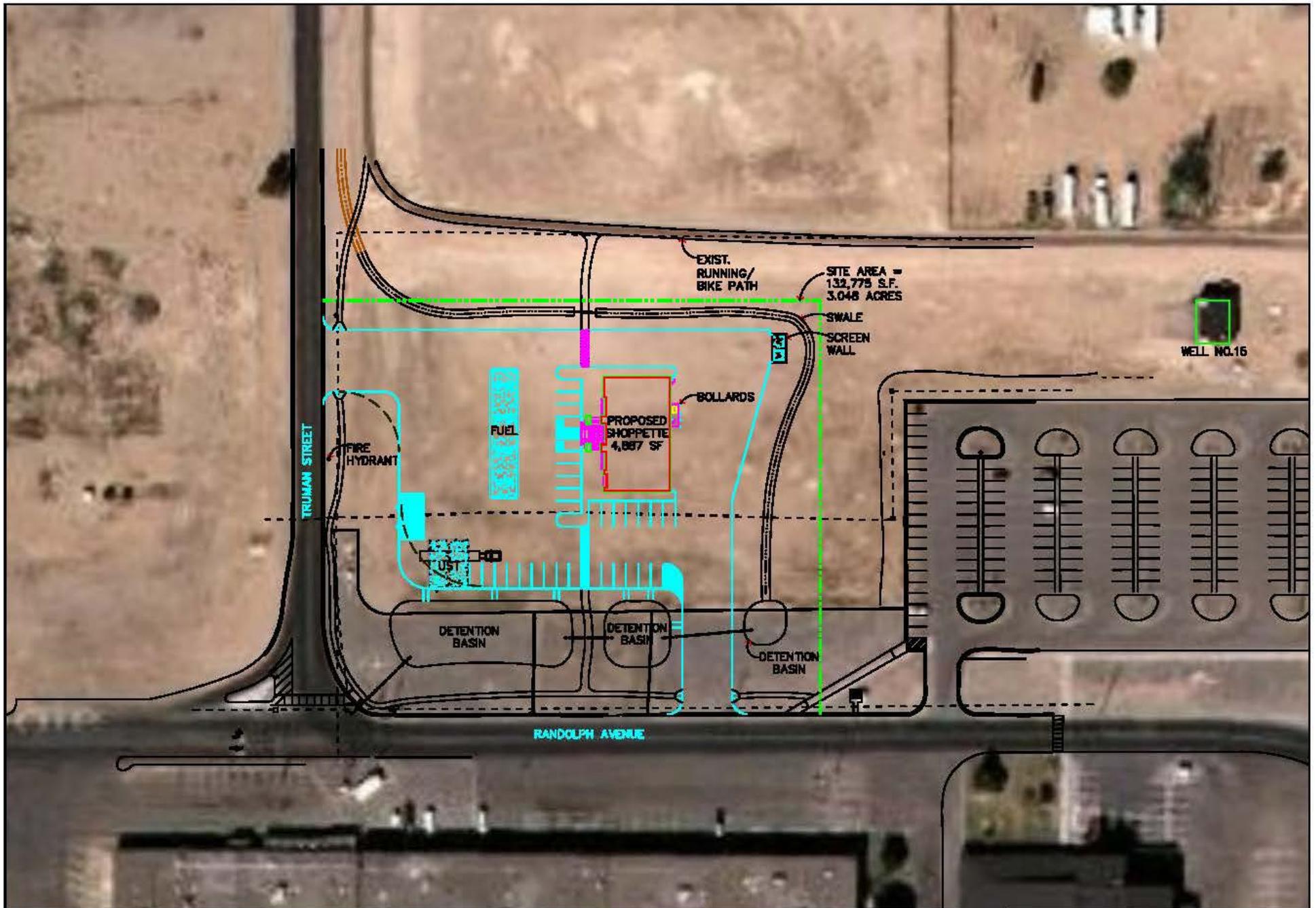
2.2.3 Alternatives Carried Forward for Further Analysis

Description of the Preferred Alternative

The Proposed Action evaluated in this EA is to construct a new 4,940-square-foot shoppette/gas station facility on the Preferred Alternative site location (Alternative 3), as determined in Section 2.2 and illustrated on Figure 2-2.

No Action Alternative

The CEQ Regulations implementing NEPA require that a No Action Alternative be evaluated. Under this alternative, there would be continued use of the existing facility (Building 471), which is located on Aberdeen Avenue between Carlisle and Truman Gates (Figure 2-1). This facility contains two gasoline pumps (four dispensers) and 10 parking spaces and a small retail facility (2,476 sf). Land use is designated as Administrative and Research as depicted in the *Kirtland AFB General Plan*.



APPROXIMATE SCALE IN FEET



**FIGURE 2-2
PRELIMINARY SITE PLAN
KIRTLAND AIR FORCE BASE
ALBUQUERQUE, NEW MEXICO**

ecology and environment, inc.
Member of the
Environmental Sciences & Technology Group

DATE: 08/14/18
 DRAWN BY: JMM
 CHECKED BY: JMM

3 Affected Environment and Environmental Consequences

This section describes the existing natural and human environment that may be impacted by the implementation of the Proposed Action at the Preferred Alternative site or the No Action Alternative. This section also presents an analysis of the potential environmental consequences from the implementation of the Proposed Action at the Preferred Alternative site and the No Action Alternative on the existing natural and human environment.

3.1 Resources Eliminated From Further Analysis

In compliance with the guidelines contained in NEPA, the CEQ Regulations, and 32 CFR 989, this chapter is limited to the discussion of only those specific resources potentially affected by the implementation of the Proposed Action at the Preferred Alternative site. The following resources are not expected to be affected and therefore will not be described in detail in this EA:

- **Land Use** would not be affected by the Proposed Action. The site of the Proposed Action would be located within an area designated as “Aircraft Operations and Maintenance.” Land use designations at Kirtland AFB are general in nature and are a result of the combination of previously separate installations. Similar land uses generally exist on both the east and west side of Kirtland AFB. Land use on the west side of Kirtland AFB does not include the Community/Commercial designation; however, that does not preclude services that support the missions. Therefore, the location of this facility on the west side would not require a change in land use designation (Dunn 2008).
- **Air Space and Aircraft Operations** would not be affected by the Proposed Action. There would be no change in the number of aircraft and no change in the airspace associated with aircraft operations at Kirtland AFB. No proposed structures would penetrate into airspace or affect flight paths or patterns.
- **Climate** would not be affected by the Proposed Action. The level of impact of the Proposed Action on approximately three acres of land is not sufficient to cause a measurable change in climate. Therefore, no measurable changes in climate are expected as a result of the project. Greenhouse gas emissions are evaluated in Section 3.5, “Air Quality.”
- **Noise** would not be affected by the Proposed Action. Existing noise levels at the preferred site are between 65 and 70 decibels DNL (day/night average noise level; per Federal Aviation Regulation Part 150, 1995) from civilian and military air activities at the Albuquerque International Sunport. Noise generated by the construction and operation of the Proposed Action at the preferred site would be temporary and negligible.
- **Utilities and Infrastructure** would not be affected by the Proposed Action. The current capacity of all utilities is sufficient to accommodate the Proposed Action.

3.2 Traffic

The preferred site of the Proposed Action is at the intersection of Truman Street and Randolph Avenue (Figures 2-1 and 2-2). Truman Street traverses the western part of the proposed project site. Although Base-wide traffic analyses have not been completed, an existing traffic count was conducted on (29 May 08, Thursday peak hours from 1130 to 1230 hours) at the intersection of Aberdeen Avenue and Truman Street (Figure 2-1). Results of this count concluded that traffic traveling south on Truman Street from the Aberdeen Avenue intersection totaled 183 trips, while 103 total trips traveling north were observed (Richardson 2008), for a total of 286 total vehicles per hour. These roadways are two-lane, with a total capacity in excess of 1,000 vehicles per hour according to the *Institute of Transportation Engineers Trip Generation Manual*. Therefore, Truman Street is operating at a level of service (LOS) C or the equivalent of one-third total capacity with two-thirds capacity available for future trips.

Preferred Alternative

Construction

Construction of the Proposed Action at the preferred site would result in a slight increase to traffic volume in the project area due to on-road use by construction equipment, construction workforce vehicles, and vehicles delivering construction materials. Construction traffic would enter Kirtland AFB through the Kirtland (contractor) Gate on the west side of the Base and would likely approach the proposed site from Aberdeen Avenue to Truman Street. As indicated above, traffic counts have been conducted for these streets indicating that capacity exists for these additional construction vehicle trips (approximately 10 to 15 trips maximum). It should also be noted, that the overall size of the construction workforce and number of daily truck trips would likely vary during construction activities.

To further minimize these impacts, the contractor would implement the following measures:

- Provide adequate off-street parking for all construction workers to avoid increased congestion near roadsides; and
- Encourage construction workers to carpool to the site.

Operation

Because the number of personnel assigned to Kirtland AFB would not be expected to increase as a result of the Proposed Action, there would be no associated increase in the number of entries and exits to the Base since the facilities would only be utilized by on-Base personnel. Although trips entering and exiting the Installation would not increase, on-Installation trips would

likely be redistributed over the Installation roadway network, increasing the number of trips to this portion of the Installation. Specifically, the project design (Figure 2-2) incorporates two entry and exit points, thereby limiting the traffic on both roadways. Because of the unused capacity on Truman Street, it is estimated that there would be no traffic issues (i.e., flow or safety concerns) that would reduce the LOS of any roadway to an unacceptable standard (Richardson 2008). Therefore, the proposed construction and operation of this facility would have negligible impacts to traffic at Kirtland AFB.

No Action Alternative

Implementation of the No Action Alternative would not require the construction of a new facility and would result in the continued use of the existing facility. Traffic conditions at Kirtland AFB would remain the same and, therefore, there would be no effect.

3.3 Visual Resources/Aesthetics

The proposed project site is currently vacant, has been previously disturbed and, as a result, has lost some of its original natural appearance. The visual field from this site is predominated by urban landscapes including buildings, parking, and utilities. The project site is located within the Flightline Ops & Training District per the *Kirtland Air Force Base Architectural Compatibility Plan*.

Preferred Alternative

During construction, the project site would have little aesthetic appeal. Ground disturbance and construction equipment would be partially visible from the surrounding area. At the completion of construction, the project site would consist of an urban environment containing a new building, parking areas, and landscaping. Over the long-term, visual and aesthetic impacts at the project site would be anticipated to be positive with the conversion of a previously disturbed, vacant parcel to a facility consistent with the design standards specified in the *Kirtland Air Force Base Architectural Compatibility Plan*.

No Action Alternative

Implementation of the No Action Alternative would not require the construction of a new facility and would result in the continued use of the existing facility. The existing facility is 54 years old and is not in compliance with existing architectural standards. Therefore, the No Action Alternative would not result in any changes to the visual and aesthetic character of Kirtland AFB, and therefore, would have no effect.

3.4 Topography, Geology, and Soils

The Preferred Alternative site is located in the geologic depression known as the Albuquerque Basin within the Mexican Highlands portion of the Basin and Range Physiographic Province. The site elevation is between 5,330 and 5,340 feet above mean sea level. The site is relatively flat and the surface geology consists of quaternary piedmont alluvial deposits and the Santa Fe Group. No mining activities are occurring or are known to have occurred on the proposed site. The earthquake risk is considered minimal. No significant geologic features exist at the Preferred Alternative site.

The proposed project site contains Latene sandy loam soils. The Latene series consists of deep, well-drained soils characterized by slow to medium runoff and moderate permeability. Further, the Latene series soils have moderate limitations for shallow excavations and slight limitations for dwellings without basements, local roads, and streets. These soils are rated good for road fill, but not suited as sand and gravel sources.

Preferred Alternative

Construction of the Proposed Action at the preferred site location would require soil material and rocks to be excavated, compacted, and graded as part of site preparation and building construction. Additional geologic materials would be deposited on the areas as part of sub-grade preparation and building foundation construction. Best management practices (BMPs) would be implemented as part of construction, as specified in the stormwater pollution prevention plan (SWPPP) as discussed in Section 3.6, to minimize soil erosion and sediment transport.

Buildings would be designed in accordance with seismic standards located in Sections 1613-1620 of the *International Building Code 2003*. Short-term, negative impacts would occur to geology and soil resources at the project site during construction activities, however these impacts would be negligible due to the implementation of appropriate BMPs. No long-term impacts to geology or soils would be anticipated.

No Action Alternative

Implementation of the No Action Alternative would require no new construction or land disturbance activities on the Base; therefore, no topographic resources, geologic features, or soils would be impacted. Furthermore, the Base would continue to adhere to federal and state laws and regulations, established Base policies and guidelines such as erosion control BMPs, and spill control measures at the existing AAFES facility.

3.5 Air Quality

The Clean Air Act of 1970, 42 U.S.C. 7401 *et seq.*, amended in 1977 and 1990, is the primary federal statute governing air pollution. The Clean Air Act designates six pollutants as criteria pollutants, for which National Ambient Air Quality Standards (NAAQS) have been promulgated to protect public health and welfare.

The six criteria pollutants are particulate matter, (PM₁₀ [10 microns or less in diameter] and PM_{2.5} [less than 2.5 microns in diameter]), carbon monoxide (CO), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), lead (Pb), and ozone (O₃). Volatile organic compounds (VOCs) are not considered criteria pollutants, but emissions of VOCs are linked to ozone concentrations. In addition, federal law requires state or local air quality control agencies to establish a State Implementation Plan that prescribes measures to achieve or maintain attainment of these standards. Areas that do not meet NAAQS are designated as “non-attainment” for that criteria pollutant. The New Mexico Environment Department manages air quality for the state of New Mexico outside of Bernalillo County. The City of Albuquerque Environmental Health Department, Air Quality Division governs air quality on Kirtland AFB. The Albuquerque/Bernalillo County Air Quality Control Board is the federally delegated air quality authority for Albuquerque and Bernalillo County. The Board administers and enforces the Clean Air Act and the New Mexico Air Quality Control Act.

Bernalillo County, where Kirtland AFB is located, is in attainment for most of the Albuquerque-Bernalillo County Ambient Air Quality Standards; however, it has been designated as ‘in maintenance status’ for carbon monoxide. Kirtland AFB is currently subject to federal conformity rule requirements because of the maintenance classification. However, Bernalillo County (including Kirtland AFB), has received approval from the U.S. Environmental Protection Agency (EPA) for its CO Limited Maintenance Plan, which eliminates the conformity requirements found in Title 20, Chapter 11 of the New Mexico Administrative Code (NMAC General Conformity). This plan took effect in June 2006 and makes conformity analyses unnecessary.

The Clean Air Act, Section 169A, established the Prevention of Significant Deterioration (PSD) regulations to protect the air quality in regions that already meet the NAAQS. The primary purpose of the PSD regulation is to ensure that impacts from new or modified sources in combination with other sources do not exceed the maximum allowable incremental increase for those pollutants in attainment. The PSD analysis is only required for sources that exceed the Significant Emission Rate for the criteria pollutants. Table 3-1 gives the significant emission rates for the pollutants in tons per year. The total emissions from the proposed action are compared to the significant emission rates.

Table 3-1 Significant Emission Rates	
Pollutant	tons per year (TPY)
Ozone (volatile organic compounds [VOCs])	40
Sulfur dioxide(SO ₂) and nitrogen dioxide (NO ₂)	40
Carbon monoxide (CO),	100
Particulate Matter (PM ₁₀)	15
Lead (Pb)	0.6

Note: Significant emission rates per 20.11.61 NMAC

Greenhouse Emissions

Greenhouse emissions are emissions contributed to the atmosphere from the introduction of CO, methane (CH₄), and NO_x. Carbon dioxide (CO₂) enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and also as a result of other chemical reactions (e.g., manufacture of cement). CH₄ is emitted during the production and transport of coal, natural gas, and oil. Nitrous oxide (N₂O) is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste (U.S. Environmental Protection Agency 2008).

To assist with the determination of greenhouse gasses emitted during a particular project, the Intergovernmental Panel on Climate Change (IPCC) has developed Global Warming Potentials (GWPs), which analyze the abilities of different greenhouse gases to trap heat in the atmosphere. GWPs are based on the heat-absorbing ability of each gas relative to that of CO₂, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years) relative to that of CO₂. The GWPs provide a factor for converting emissions of various gases into a common measure denominated in carbon or carbon dioxide equivalent (CO_{2EQ}). The GWP factors are specified in Table 3-2.

Table 3-2 Global Warming Potentials	
Gas	2001 IPCC GWP Factors
Carbon Dioxide (CO ₂)	1
Methane (CH ₄)	23
Nitrous Oxide (N ₂ O)	296

Source: The generally accepted authority on Global Warming Potential (GWPs) is the Intergovernmental Panel on Climate Change (IPCC). In 2001, the IPCC updated its estimates of GWPs for key greenhouse gases and this table is reflective of that update. (Climate Trust 2007).

Preferred Alternative

Construction

Construction of the Proposed Action at the preferred site would result in negligible, short-term (note that construction would last eight months), localized adverse impacts on air quality. These impacts would result from the generation of fugitive dust (i.e., equipment traveling over exposed surfaces) and equipment emissions, which would be expected during the construction of the proposed facility. Generation of fugitive dust would be minimized through the use of appropriate dust control measures (i.e., wetting the surfaces and through the re-vegetation of disturbed areas as soon as possible). The City of Albuquerque Environmental Health Department, Air Quality Division requires that a fugitive dust control permit be obtained 10 business days prior to construction for surface disturbance or demolition activity.

Construction of the Proposed Action would result in an increase in tailpipe emissions associated with the use of heavy equipment during construction activities. These short-term impacts would be primarily in the form of increased exhaust pollutants that can be minimized through good vehicle maintenance. The total emissions expected from the construction of the Proposed Action are provided below. No permanent emissions would be expected from the construction of the new AAFES facility.

Table 3-3 Total Air Emission Estimates Associated with the Proposed Action					
Emissions (total tons during construction activity*)					
Emission Source	Volatile Organic Compounds (VOCs)	Nitrogen Oxides (NO_x)	Particulate Matter of Less than 10 Microns (PM₁₀)	Carbon Monoxide (CO)	Carbon Dioxide (CO₂)
Tailpipe Emissions	0.82	5.63	0.23	6.45	
Worker Trip Generation	0.00024	0.000	0.00001	0.002	
Fugitive Emissions			0.56		
Asphalt Paving	0.04			0.24	
Gas Dispensing for Concurrent Operation	12.09				
TOTAL	12.94	5.63	0.79	6.70	111.79
TOTAL GREENHOUSE EMISSIONS	-	-	-	-	111.79

Note: * The construction activity is estimated to last approximately eight months.

As indicated previously, a conformity analysis is not required for this project. Further, greenhouse emissions anticipated from this project would be 111.79 tons, which is achieved by

multiplying total CO₂, CH₄, and N₂O by their corresponding GWP factors as provided in Table 3-2. The total construction and operational emissions associated with the Proposed Action are provided in Table 3-3.

Operation

Operational air impacts were determined utilizing two scenarios since, as indicated previously, the disposition status of the existing AAFES facility (Building 471) is unknown. Analyzed scenarios include the single operation of the proposed AAFES facility and the indefinite concurrent operation of the proposed and existing facility. Table 3-4 provides the VOC and hazardous air pollutant (HAP) emissions from gas-dispensing operations for Building 471 and the proposed facility, as these are the only emissions expected during these operations.

Table 3-4 Air Emissions from Gas-Dispensing Operations				
Location	Fuel Type	Annual Throughput (gallons)	Emissions (tons per year)	
			Volatile Organic Compounds (VOCs)^a	Hazardous Air Pollutants (HAPs)^b
AAFES Building 471 (Existing)	Gasoline	998,448	5.49	0.221
AAFES (Proposed)	Gasoline	1,200,000 ^c	6.60	0.265
Concurrent Operation	Gasoline	2,198,448	12.09	0.486
Note: a Emission factor from U.S. Environmental Protection Agency, <i>Compilation of Air Pollutant Emission Factors (AP-42)</i> , Volume I, Table 5.2-7 Evaporative Emissions from Vehicle Refueling Operations (June 2008). b Speciation factors obtained from 2006 Air Emission Inventory for Kirtland Air Force. c Four dispensers at 25,000 gallons throughput per month per dispenser. The annual throughput for the existing facility obtained from 2006 Air Emission Inventory for Kirtland Air Force.				

Conclusion

NMAC 20.11.41 requires the preparation and submission of an Authority to Construct Permit for any source that emits 10 pounds per hour or 25 tpy of any regulated air pollutant. Based on that, the project will require an Authority to Construct Permit. Also, a Fugitive Dust Control permit needs to be obtained 10 business days prior to construction. A PSD Analysis is not required since the emissions from the project are much below the PSD threshold of 250 tpy.

No Action Alternative

Implementation of the No Action Alternative would require no new construction or land disturbance activities on the Base; therefore, no air impacts associated with construction activities would occur. Although construction of the new AAFES facility would not occur, retail gasoline services would continue at the existing AAFES facility (Building 471). Table 3-4 summarizes the operational air emissions with the continued use of the existing facility, indicating no change in air emissions.

3.6 Biological Resources

The native vegetation on Kirtland AFB is grassland vegetation. However, due to the previously disturbed condition and its location within a highly developed portion of Kirtland AFB, the Preferred Alternative site contains little vegetation, primarily some opportunistic grass and weeds. Common wildlife species occurring at the site include species adapted to human disturbance, such as starlings, robins, grackles, sparrows, rabbits, and prairie dogs.

Eight federal or state-listed threatened or endangered species could potentially occur at Kirtland AFB, plus seven federal species of concern and one state sensitive plant species. No federally listed species are resident on the Base; however, transients have been reported (Watkins 2008). The gray vireo (*Vireo vicinior*), a state-listed threatened species, has been found in juniper woodland at the easternmost portion of the Base, more than 5 miles from the Preferred Alternative site. Further, there is no potential habitat for the gray vireo on or near the preferred site. The western burrowing owl (*Athene cunicularia*), a species of concern to the State of New Mexico, Bureau of Land Management, United States Forestry Service, as well as protected under the Migratory Bird Treaty Act (MBTA), is associated with the prairie dog colonies on Base, as they use abandoned prairie dog towns for nesting. Prairie dogs are located on the Preferred Alternative site (Watkins 2008). It is also important to note, that in general, owls occur on Base between March and October before migrating south, although a few birds may occur on Base during mild winters.

Preferred Alternative

Construction activities would take place within a highly developed area of the Base on previously disturbed lands with minimal wildlife and vegetation. As such, contact with wildlife or related habitat is unlikely. There are no federal or State of New Mexico threatened or endangered species at or near the project area. Prairie dogs are located on the preferred site and will be handled in accordance with the management practices identified within the Kirtland AFB Prairie Dog Management Plan (LopezGarcia Group Inc. 2003). Further, each burrow will be surveyed prior to

construction for the presence of the western burrowing owl, a federal species of concern under the MBTA. If required, Kirtland AFB will implement standard mitigation procedures in conformance with the MBTA, should any relocation be necessary during the construction of the Proposed Action. Thus, any impacts to burrowing owls, or other wildlife or vegetation would be negligible during construction and operation activities.

No Action Alternative

Implementation of the No Action Alternative would require no new construction or land disturbance activities on the Base and the parcel of property would remain vacant. Therefore, there would be no impact to vegetation, wildlife, or threatened and endangered species.

3.7 Cultural Resources

Section 106 of the National Historic Preservation Act and implementing regulations (36 CFR 800) outlines the procedures to be followed during the documentation, evaluation, and mitigation of impacts for cultural resources. The Section 106 process applies to any federal undertaking that has the potential to affect cultural resources. Projects that require federal funding or are subject to federal regulations are also subject to Section 106.

Preferred Alternative

Although there are no known cultural or archaeological resources located on the proposed project site, the State Historic Preservation Office at the New Mexico Historic Preservation Division and 22 tribal entities were contacted for information and the letters are provided in Appendix B. Further, if cultural resources are inadvertently discovered during construction activities, the contractor will cease all work activities and comply with Kirtland AFB inadvertent discovery procedures. All applicable federal, state, and local cultural resource laws and regulations will be followed. No impacts would be expected with the construction of the Proposed Action at the preferred site.

No Action Alternative

Implementation of the No Action Alternative would require no new construction or land disturbance activities on the Base; therefore, no cultural resources would be impacted.

3.8 Water Resources

Kirtland AFB is located within the Rio Grande basin. The Rio Grande, the only perennial stream in the vicinity of Kirtland AFB, is located approximately 5 miles west of the Base (Figure 1-1). Surface water on Kirtland AFB flows into small gullies during rainfall. No permanent streams or

natural impoundments occur on the Base. The two main drainage features on the Base are Tijeras Arroyo, an ephemeral stream that is located approximately 2 miles south of the proposed site, and the smaller Arroyo del Coyote, which joins Tijeras Arroyo. Both arroyos flow intermittently during heavy thunderstorms, but most of the water percolates into alluvial deposits or is lost to the atmosphere via evapotranspiration (Kirtland AFB 2002). No surface water features (i.e., rivers or streams), floodplains, wetlands, or other sensitive water features are present at the Preferred Alternative site.

Recent hydrologic studies have determined that groundwater contained in the Santa Fe Group aquifer system is limited and excessive pumping of water could deplete the aquifer. Groundwater is the source of potable water at Kirtland AFB. The depth to groundwater ranges from 8 to 500 feet below ground surface in the southeast Albuquerque/Kirtland AFB region. Around the project area the depth to groundwater is approximately 485 to 500 feet.

Kirtland AFB holds a National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit for industrial activities issued by EPA

Preferred Alternative

Construction

Implementation of the Proposed Action on the preferred site would have a minor impact to water resources due to an increase in stormwater runoff from the increase in impervious surface area. Specifically, the proposed construction, although on a previously disturbed site, would result in the loss of vegetation on approximately 3.0 acres and the replacement with approximately 1.5 acres of impervious surface (including the proposed building and parking lot) area.

NPDES regulations require that if the proposed construction site is larger than 1 acre, the construction proponent would be required to submit to EPA a Notice of Intent (NOI; Appendix C) to comply with the NPDES Construction General Permit. Further, AAFES must develop and implement a SWPPP prior to construction activities. A copy of this plan would be located and maintained at the proposed construction site. As a part of the SWPPP, the contractor would be required to implement strict erosion-control measures/BMPs to prevent the uncontrolled discharge of sediments and pollutants during construction activities.

Operations

Long-term impacts would include the increase in stormwater runoff associated with the increase in impervious surface area. In addition, non-point source pollution associated with the facility and/or vehicles at the facility could potentially increase. This pollution would be minimized

and potentially avoided through adherence to the Kirtland AFB SWPPP. Implementation of BMPs and design measures including the placement of culverts, swales, and retention facilities (Figure 2-2) would limit potential short-term and long-term adverse impacts to surface water to insignificant adverse effects.

No Action Alternative

Implementation of the No Action Alternative would require no new construction activities on Kirtland AFB. Because there would be no construction activities, no impact to surface waters, groundwater, wetlands, or floodplains would occur. However, the operations and maintenance of the existing AAFES facility would continue to be performed in accordance with the Kirtland AFB SWPPP and other local, state, and federal laws and regulations.

3.9 Hazardous Materials and Waste

Hazardous waste is regulated by several federal agencies. The Resource Conservation and Recovery Act (RCRA) is the nation's primary law governing the disposal of solid and hazardous waste (40 CFR 239-299). The U.S. Department of Transportation regulates the safe packaging and transporting of hazardous materials, as specified in 49 CFR. Occupational Safety and Health Administration regulates the safe use of hazardous materials in the workplace in 29 CFR.

The *Kirtland AFB Hazardous Waste Management Plan (HWMP)* establishes policies, procedures, and responsibilities for all activities to ensure compliance with environmental laws and regulations. This plan provides a single-source document for use by all personnel involved with hazardous materials and waste to ensure proper identification, packaging, storing, transporting, treatment, and/or reporting of hazardous waste on Kirtland AFB. Some wastes, such as lead-based paint, are disposed of through contractors.

Currently, no known hazardous materials or waste are located on the Preferred Alternative site.

Preferred Alternative

Construction

Construction of the Proposed Action at the preferred site would necessitate the use of heavy machinery that requires maintenance and fuel. Although maintenance would most likely be performed off-site and within an authorized service shop, the use of construction machinery could potentially introduce small quantities of solvents, cleaning agents, greases, oils, hydraulic fluids, and fuel (e.g., gasoline and diesel). Paints and adhesives would also be used on the site during project construction.

Hazardous materials would be stored and disposed of in accordance with all local, state, and federal laws and regulations, and the Kirtland AFB HWMP.

Operation

Hazardous materials, including retail-sized containers of motor oil, paints, and solvents, would likely be stored at the site during operation of the new facility. However, these materials would be stored solely for retail sale and individual, off-site use by military personnel and their families. No significant quantities of hazardous materials, other than fuels for dispensing, would be used or stored on-site. For all petroleum, oils, and lubricant (POL) materials, spill prevention guidelines are detailed in the *Kirtland AFB Spill Prevention, Control and Countermeasures Plan* (SPCC Plan).

Therefore, impacts from hazardous materials and waste from construction and operation activities would be negligible since storage and disposal of all debris and waste would be in compliance with current laws and regulations.

No Action Alternative

Implementation of the No Action Alternative would not require the construction of a new facility and would result in the continued use of the existing facility. No hazardous materials (other than fuels for dispensing) would be stored or wastes would be produced. SPCC requirements at Kirtland AFB to implement measures and practices that would prevent and/or minimize spill of/release from the storage and handling of hazardous materials would continue to be enforced at the existing AAFES facility (Building 471). Therefore, no significant impacts would be anticipated under the No Action Alternative

3.10 Socioeconomics

Socioeconomics is the multi-disciplinary evaluation of economic activity and social well-being. The region of influence and socioeconomic analysis would include the same area as specified within the *Draft Environmental Assessment for Enhanced Use Lease* 2008. Specifically, this analysis included a comparison of city, county, and national population estimates and projected increases, as well as an analysis of household incomes. Further, according to the *Kirtland AFB Economic Impact Statement for Fiscal Year 2006*, Kirtland AFB provides employment to approximately 40,619 military and contractor personnel. The total value of Kirtland AFB's impact to the local community is valued at almost \$8.2 billion, and the Base creates 51,678 jobs in the local area.

It is important to note, as indicated in Table 3-5, the larger percentage of Hispanic or Latino, American Indian, and Alaska Native percentages in comparison to national levels.

**Table 3-5
Demographic Breakdown**

		Albuquerque, NM	Bernalillo County, NM	New Mexico	United States
Sex	Male (%)	48.9	49.0	49.3	49.2
	Female (%)	51.1	51.0	50.7	50.8
Race	White (%)	65.2	66.3	67.8	73.9
	Black or African America (%)	3.1	3.0	2.0	12.4
	American Indian and Alaska Native (%)	5.2	4.9	9.7	0.8
	Asian (%)	2.5	2.3	1.3	4.4
	Native Hawaiian and Other Pacific Islander (%)	0.1	0.1	0.1	0.1
	Some Other Race (%)	19.6	19.6	15.8	6.3
	Two or More Races (%)	4.4	3.9	3.2	2.0
	Hispanic or Latino (%) ^a	43.9	44.9	44.0	14.8

Source: U.S. Census Bureau 2006.

Note:

^a Hispanic or Latino can be of any race and therefore could cause double counting which would result in a total of more than 100 percent.

Preferred Alternative

The number of personnel assigned to Kirtland AFB would not be expected to increase as a result of the Proposed Action and would not require the provision of additional services (i.e., schools). During construction activities, temporary construction jobs would be created that would be distributed throughout the Albuquerque area. These jobs would benefit the Albuquerque economy and would result in both direct and indirect revenues to the local community. In general, the long-term operation of the proposed project would likely create a small number of jobs at the proposed facility, thereby resulting in a negligible beneficial impact to the overall employment and/or income potential of residents in the Albuquerque metropolitan area.

No Action Alternative

Implementation of the No Action Alternative would not require the construction of a new facility and would result in the continued use of the existing facility; therefore, no change in existing socioeconomic conditions would occur.

3.11 Environmental Justice

In compliance with EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, agencies must ensure that federal actions do not disproportionately impose adverse effects on minority or low-income areas. As indicated previously, the city of Albuquerque and Bernalillo County have higher than average percentages of Hispanic

individuals. Further, approximately 14.6% of the individuals within the City of Albuquerque and 15.5% of the individuals within Bernalillo County live below the poverty level (U.S. Census Bureau 2006).

Census 2000 data were used to identify poverty levels within census tracts adjacent to Kirtland AFB. Analysis of this data concluded that the nearest census tract to Kirtland AFB located approximately 0.12 miles from the proposed project site reported a poverty level of 24.25%. Additionally, the highest reported level of poverty within Bernalillo County is 42.07%, located approximately 2.04 miles from the proposed project site (U.S. Census Bureau 2000).

Preferred Alternative

No residents would be displaced, no jobs would be eliminated, and no existing wages would be affected by the implementation of the Proposed Action at the preferred site. Implementation of the Proposed Action at the preferred site would not result in any significant impacts and would therefore not result in any disproportionate impacts to minority or low-income populations. Further, the preferred site would be located entirely within Base boundaries, and as indicated previously, would be located far enough from surrounding low income neighborhoods to ensure that minority and low-income populations are not affected. In fact, the construction and operation of the proposed facility may create a small number of job opportunities.

No Action Alternative

Implementation of the No Action Alternative would not require the construction of a new facility and would result in the continued use of the existing facility. There would be no proposed construction and therefore would be no job creation or impacts to socioeconomic conditions.

3.12 Protection of Children

EO 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, directs federal agencies to identify and assess environmental health and safety risks that may disproportionately affect children and ensure that policies, programs, activities, and standards address disproportionate risks to children that result from environmental health and safety risks. Children may suffer disproportionately from environmental and health safety risks since their body systems are still developing. The nearest schools are Kirtland Elementary School located 1.4 miles west-northwest of the proposed project site and Wherry Elementary School located 1.7 miles east-northeast of the proposed project site. The nearest residential neighborhood is located approximately 0.50 miles from the proposed project site.

Preferred Alternative

Implementation of the Proposed Action would not result in a disproportionate risk to children from environmental health or safety risks. As indicated in this EA, there would be no significant environmental resource impacts associated with the construction of this proposed project at the preferred site. The nearest surrounding neighborhoods and schools are located a great enough distance away to ensure children would not experience any impacts from construction or operations. Coupled with the distance to the proposed project site, mitigation measures such as the use of dust control measures during construction, as identified in Section 3.5, would be implemented to ensure that children would not experience any impacts from construction or operations of the Proposed Action.

No Action Alternative

Under the No Action Alternative, there would be no changes to the current conditions.

3.13 Cumulative Impacts

A cumulative impact is the effect on the environment that could result from the incremental impact of the Proposed Action when added to other past, present, or reasonably foreseeable future actions. Cumulative impacts may result from individually minor but collectively significant actions that can take place over time. Cumulative impacts are most likely to occur when a proposed action is related to actions that could occur at an overlapping geographic location and/or at the same or a similar time. This cumulative impact analysis identifies and defines the scope of other actions and their interrelationship with the Proposed Action. This analysis is consistent with guidance published by the CEQ for implementing NEPA.

Information regarding ongoing and proposed projects was obtained from Kirtland AFB personnel. Potential cumulative impacts were analyzed for the construction and the operation of the proposed facility. Construction cumulative impacts were evaluated based on the proximity to the project site and the similarity of timing of construction activities. Additionally, cumulative impacts for the proposed facility were analyzed for the long-term operation of the proposed facility.

Evaluation of potential projects concluded that the Enhanced Use Lease – Kirtland Technology Park Phase II Project has the greatest potential for cumulative impacts with the Proposed Action due to its close proximity (less than 1 mile) from the proposed project site (Figure 2-1). This project includes the proposed development of 92 acres of office, commercial, and senior continuum care facilities at Kirtland AFB. Construction of this project is proposed to occur in several phases over an estimated four-year period with the first phase of this project likely to include land clearing

and infrastructure improvements. According to current construction schedules, only Phase I would correspond with AAFES construction activities. Further, due to pending environmental documentation and other potential scheduling issues, it is highly unlikely that any overlap of construction activities would occur.

As discussed in Section 3 of this EA, many resources were not analyzed due to a determination of no potential impacts, while other resources were determined to have either a negligible or minor insignificant impact and were not evaluated for cumulative impacts. In general, the construction, operation, and maintenance of the new AAFES facility at the preferred site would have no significant adverse cumulative effects. During construction, effects to resources such as air quality and water resources would be both short-term and temporary. Further, with the implementation of measures such as the utilization of proper equipment; implementation of BMPs; adherence to permit requirements and existing standard operating procedures as well as other guidance in place at Kirtland AFB, it is anticipated that no cumulative impacts would occur. Operations of the new AAFES facility would not result in any significant long-term cumulative impacts, as it will essentially result in the same impacts as operations at the existing AAFES facility. Air quality has been analyzed to consider the indefinite concurrent operations of the new proposed facility and the existing facility (Building 471) as indicated in Section 3.5. There are no other known activities proposed which would be expected to contribute to any impacts from the air emissions associated with the gas-dispensing operations other than the proposed beddown of additional aircraft (CSAR-X and C-130s) beginning around 2011. Because specifics on these aircraft are presently unknown, no assessment of the cumulative impact to air quality can be done at this time. Other resources would not be expected to contribute to any cumulative impacts.

3.14 Unavoidable Adverse Environmental Impacts

Unavoidable, short-term, negative impacts from implementation of the Proposed Action primarily would be associated with construction activities. Construction impacts of the Proposed Action would include a periodic increase of fugitive dust emissions; however, these impacts would be negligible. The long-term conversion of the project site from undeveloped land to developed property would result in habitat loss for species that would have otherwise inhabited that land. No significant environmental impacts are anticipated from construction activities.

3.15 Irreversible and Irretrievable Commitment of Resources

Implementation of the Proposed Action would result in an irreversible and irretrievable commitment of resources by AAFES and Kirtland AFB. Committed resources would include building materials, supplies, and their costs; labor; planning and engineering costs; infrastructure capacity; funds used for construction; and the land that would be developed. Other committed resources would include water, natural gas, fossil fuels, and electricity used for the construction of the proposed project as well as for the continued operation and maintenance of the proposed facility.

4 List of Organizations and Individuals Contacted, Reviewers, and Preparers

4.1 Individuals Contacted and Reviewers

The following individuals at Kirtland AFB were consulted or reviewed this document:

- Evelyn Watkins, Ph.D., NEPA Program Manager, 377 MSG/CEANQ
- Scott Clark, Air Program, 377 MSG/CEANC
- Cole Crosgrove, Water Program Support, 377 MSG/CEANC
- Donna K. Dunn, Base Community Planner, 377 MSG/CECE (Civil Engineering)
- Carol A. Finley, Natural Resources Program Manager, 377 MSG/CEANQ
- Valerie Renner, Cultural Resources Manager, 377 MSG/CEANQ
- Cliff Richardson, Energy Engineer, 377 MSG/CEPE
- William Sayner, MILCON Engineer, 377 MSG/CEPE
- Jennifer Dann, Compliance Section Chief, 377 MSG/CEANC
- Robert Warder, Environmental Engineer, 377 MSG/CEANR
- Patrick Montano, Water Program Manager, 377 MSG/CEANC

Army and Air Force Exchange Service:

- Keith Parker, Project Manager, AAFES HQ, Dallas, Texas
- Greg Smith, Environmental Engineer, AAFES HQ, Dallas, Texas
- Stephen Weaver, Kirtland AFB General Manager, Kirtland AFB

4.2 List of Preparers

The contractor responsible for preparing this Environmental Assessment is:

Ecology and Environment, Inc.
1974 Commonwealth Lane
Tallahassee, Florida 32303

The following individuals contributed to the preparation of this document:

Name	Role	Years Experience	Responsibilities
Richard Stephens	Project Manager	19	<ul style="list-style-type: none">▪ Project Management▪ Project Coordination▪ Proposed Action and Alternatives
Ryan Long	NEPA Specialist	3	<ul style="list-style-type: none">▪ Affected Environment▪ Environmental Consequences
Peggy Farrell	NEPA Specialist	29	<ul style="list-style-type: none">▪ Quality Assurance/Quality Control
Gene Stillman	Contract Manager/ NEPA Specialist	14	<ul style="list-style-type: none">▪ Quality Assurance Review▪ Project Coordination
Annie Menon	Air Quality Specialist	4	<ul style="list-style-type: none">▪ Air Conformity Analysis
Gina Edwards	Technical Editor	25	<ul style="list-style-type: none">▪ Document Editing and Control

5 References

- Air Emission Inventory for Kirtland Air Force Base (AFB), Albuquerque NM, Executive Summary, 2006.
- Bartolino, J.R., and J.C. Cole, 2002, *Ground-Water Resources of the Middle Rio Grande Basin, Circular 1222*, U.S Geological Survey, Denver Federal Center, Information Services, Denver, Colorado.
- The Climate Trust, 2007, from the Intergovernmental Panel on Climate Change's updated estimate of Global Warming Potentials, online at http://www.climatetrust.org/solicitations_2007_Metrics.php.
- Dick-Peddie, W.A., 1993, *New Mexico Vegetation Past, Present, and Future*, University of New Mexico Press, Albuquerque, New Mexico.
- Dunn, Donna, 2008, personal communication, Base Community Planner, 377 MSG/CECE (Civil Engineering), email on July 8, 2008, to Richard Stephens, Ecology and Environment, Inc. , Tallahassee, Florida.
- El Dorado County, 2002, *Guide to Air Quality Assessment, Determining Significance of Air Quality Impacts Under the California Environmental Quality Act*, First Edition, February 2002, Chapter 4 "Construction Activities- Air Quality Impacts and Mitigation," El Dorado County Air Pollution Control District, Placerville, California.
- Federal Deposit Insurance Corporation (FDIC), 2008, Regional Economic Conditions (RECON) website, available online at: <http://www4.fdic.gov/RECON/index.asp>.
- Forest City Covington, 2007, *Mesa del Sol, 12,900 Acres on Albuquerque's South Mesa*, available online at www.mesadelsolnm.com, Forest City Covington, Albuquerque, New Mexico.
- International Code Council, Inc., 2003, *International Building Code 2003*, International Code Council, Inc., Country Club Hills, Illinois.
- Kirtland Air Force Base (Kirtland AFB), 1999, *Final Clean Air Act Transportation Intermodal Study, Phase I – Existing Condition Traffic Analysis Report*, 377th Air Base Wing, Environmental Management Division, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2002, *Kirtland AFB Comprehensive General Plan*, 377th Air Base Wing Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2003a, *Spill Prevention, Control and Countermeasures Plan*, May 2003, reviewed and amended by ENSAFE PCCI, Memphis, Tennessee, Kirtland AFB, Albuquerque, New Mexico.

- _____, 2003b, Final Finding of No Significant Impact (FONSI), *Final Environmental Assessment for Kirtland Air Force Base Prairie Dog Management Program*, November 2003, prepared for 377th Air Base Wing Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2004, *Hazardous Waste Management Plan*, 377th Air Base Wing, Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2005, *AETC Integrated Campus Plan*, KAFB, Air Education and Training Command, Albuquerque, New Mexico.
- _____, 2006, *Economic Impact Statement for Fiscal Year 2006*, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2007a, *Annual Consumer Confidence Report on the Quality of Drinking Water, 2006*, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2007b, *Final KAFB Baseline Natural Resources Inventory*, 377th Air Base Wing, Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2007c, *Final KAFB 2006 Emissions Inventory*, Kirtland AFB, Environmental Management Branch, Albuquerque, New Mexico.
- _____, 2007d, *Integrated Natural Resources Management Plan for Kirtland Air Force Base*, prepared for 377th Air Base Wing Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2007e, *NOI, KAFB, New Mexico, NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems – Permit No. NMR040000*, 377th Air Base Wing, Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico.
- _____, 2007f, Unpublished data on western burrowing owl locations, Kirtland AFB, Environmental Management Branch, Albuquerque, New Mexico.
- _____, 2007g, *Kirtland Air Force Base Architectural Compatibility Plan*, October 10, 2007, prepared by 377th Civil Engineering Division, Kirtland Air Force Base, New Mexico.
- _____, 2008a, *Draft Environmental Assessment for Enhanced Use Lease*, Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico, downloaded from <http://www.kirtland.af.mil/shared/media/document/AFD-080321-115.pdf>, April 21, 2008.
- _____, 2008b, *Integrated Cultural Resources Management Plan, Kirtland Air Force Base, New Mexico*, prepared for 377th Air Base Wing, Environmental Management Division, Kirtland AFB, Albuquerque, New Mexico.
- LopezGarcia Group Inc., 2003, *Prairie Dog Management Plan, Final Environmental Assessment for Kirtland Air Force Base Prairie Dog Management Program*, November 2003, prepared for 377th Air Base Wing Air Force Materiel Command, Kirtland AFB, Albuquerque, New Mexico, LopezGarcia Group Inc., Colorado Springs, Colorado.

- McLemore, V.T., and G.K. Hoffman, 2002, Minerals Industry in New Mexico in 1998-2000, in *New Mexico Geology* 24(1): 19-28.
- Natural Resources Conservation Service (NRCS), 2007, *Web Soil Survey. Version 2.0*, available online at <http://websoilsurvey.nrcs.usda.gov/app/>, NRCS, Washington, D.C.
- New Mexico Bureau of Geology and Mineral Resources, 2003, *Geologic Map of New Mexico*. New Mexico Bureau of Geology and Mineral Resources in cooperation with the U.S. Geological Survey, Socorro, New Mexico.
- New Mexico Department of Game and Fish, 2006, *New Mexico Species of Concern: Status and Distribution*, available online at <http://www.bison-m.org/index.aspx>, New Mexico Department of Game and Fish, Conservation Services Division, Santa Fe, New Mexico.
- _____, 2006, *Threatened and Endangered Species of New Mexico, Biennial Review and Recommendations; Revised Draft*. New Mexico Department of Game and Fish, Conservation Services Division. available online at http://www.wildlife.state.nm.us/conservation/threatened_endangered_species/index.htm, New Mexico Department of Game and Fish, Santa Fe, New Mexico.
- _____, 2007, *Guidelines and Recommendations for Surveying Burrowing Owls and Mitigation If They are Found*, New Mexico Department of Game and Fish, New Mexico Department of Game and Fish, Conservation Services Division, Santa Fe, New Mexico.
- Parker, Keith, 2008, personal communication, Project Manager, AAFES HQ, Dallas, Texas, email on July 23, 2008, with Richard Stephens, Ecology and Environment, Inc. Tallahassee, Florida.
- Sanford, A.R., K. Lin, I. Tsai, and L.H. Jaksha, 2002, *Earthquake Catalogs for New Mexico and Bordering Areas: 1869-1998*, New Mexico Bureau of Geology and Mineral Resources, Socorro, New Mexico.
- South Coast Air Quality Management District, 2002, Software User's Guide: URBEMIS2002 for Windows with Enhanced Construction Module Version 8.7 Emissions Estimation for Land Use Development Projects Prepared for: South Coast Air Quality Management District, April 2002.
- Soil Survey Staff, 2008, Natural Resources Conservation Service (NRCS), U.S. Department of Agriculture (USDA), Official Soil Series Descriptions, available online at <http://soils.usda.gov/technical/classification/osd/index.html>, USDA-NRCS, Lincoln, Nebraska.
- The Climate Trust, 2007 RFP Conversion Metrics, Retrieved online from http://www.climatetrust.org/solicitations_2007_Metrics.php.
- U.S. Air Force (USAF), 2003, Air Force Instruction 7061, The Environmental Impact Analysis Process, USAF, Washington, D.C.
- _____, 2007, Air Force Instruction 7040, Air Quality Compliance, USAF, Washington, D.C.

- U.S. Census Bureau, 2000, United States Census 2000, available online at http://factfinder.census.gov/home/saff/main.html?_lang=en, U.S. Census Bureau, Washington, DC.
- _____, 2006, 2006 American Community Survey, available online at <http://factfinder.census.gov>, U.S. Census Bureau, Washington, DC.
- U.S. Environmental Protection Agency, 2008, Climate Change - Greenhouse Gas Emissions, online at <http://www.epa.gov/climatechange/emissions/index.html>, last updated April 15, 2008.
- U.S. Environmental Protection Agency, *Compilation of Air Pollutant Emission Factors (AP-42)*, Volume I, Chapter 13: Miscellaneous Sources, Washington, D.C. U.S. Fish and Wildlife Service, 2007, *Listed and Sensitive Species in Bernalillo County*, available online at http://www.fws.gov/southwest/es/newmexico/SBC_view_all_BC.cfm, New Mexico Ecological Services Field Office, Albuquerque, New Mexico.
- University of New Mexico Bureau of Business and Economic Research, 2004a, *Revised Projected Annual Population Growth Rates*, available online at <http://www.unm.edu/~bber/demograp2.htm>, University of New Mexico Bureau of Business and Economic Research, Albuquerque, New Mexico.
- _____, 2004b, *Revised Population Projections for New Mexico and Counties*, available online at <http://www.unm.edu/~bber/demograp2.htm>, University of New Mexico Bureau of Business and Economic Research, Albuquerque, New Mexico.
- Watkins, E., 2008, personal communications, NEPA Coordinator, Kirtland Air Force Base, in person and teleconference, April through June 2008, with G. Stillman, Ecology and Environment, Inc., Tallahassee, Florida.

Appendix A
Fugitive Dust
Construction Application

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ALBUQUERQUE ENVIRONMENTAL HEALTH DEPARTMENT - AIR QUALITY DIVISION (DEPARTMENT)
11850 SUNSET GARDENS SW - ALBUQUERQUE, NEW MEXICO 87121
(505) 768 - 1972 (VOICE) (505) 768 - 2482 (TTY) (505) 768 - 1977 (FAX)



APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT IN BERNALILLO COUNTY
 ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD REGULATION 20.11.20 NMAC
 CONSTRUCTION PERMIT FOR SURFACE DISTURBANCE/DEMOLITION

DIVISION RECEIPT STAMP BELOW THIS LINE

EFFECTIVE DATE OF THIS FORM: 3/1/05

SUBMITTAL DATE/TIME _____

RECEIVED BY _____

PERMIT # _____

PERMIT APPLICATION - PART A. - PROJECT INFORMATION AND GENERAL ACTIVITIES (20.11.20.15 NMAC) (PRINT OR TYPE)

1. PROJECT NAME _____

2. PROJECT LOCATION _____

SUBMIT AS AN ATTACHMENT TO THIS APPLICATION, AN 8 1/2" X 11" OR LARGER SITE MAP OR PLAT OF PROJECT LOCATION

3. PROJECT STREET ADDRESS (if available) _____

4. MAJOR CROSS STREETS OR INTERSECTION NEARBY _____

5. UNIFORM PROPERTY CODE(S) (if available): _____

6. LATITUDE/LONGITUDE (if available): NORTH _____ ° _____ ' _____ " WEST _____ ° _____ ' _____ "

7. UNIVERSAL TRANSVERSE MERCATOR (UTM Coordinates), if available: _____ NORTHING _____ EASTING

8. SCOPE OF PROJECT (check all that apply): NEW BUILDING(S) CONSTRUCTION SUBDIVISION DEVELOPMENT UTILITY IMPROVEMENTS
 STRUCTURE DEMOLITION/RENOVATION ROADWAY DEVELOPMENT OTHER (please describe) _____

9. ACTIVE OPERATIONS (check all that apply): SURFACE DISTURBANCE BULK MATERIAL HAULING OR HANDLING UNPAVED ROADS
 PAVED ROADS UTILITY REMOVAL/INSTALLATIONS STRUCTURE DEMOLITION/RENOVATION MILLING/GRINDING/CUTTING OF SURFACES
 OTHER (please describe) _____

10. TOTAL AREA TO BE DISTURBED (acres or square feet) _____ acres; _____ ft², or, FOR DEMOLITION: TOTAL CUBIC FEET _____ ft³

NOTE: A Fugitive Dust Control Permit application is required for a Building Demolition Project of over 75,000 ft³ and must be received by the Department 10 business days (Monday through Friday except holidays) before the anticipated project start date. Asbestos Notification for demolition/renovation of any commercial building, residential building of 5 or more dwellings, or residential structure to be demolished to build a non-residential structure must be received by the Department, using a separate form, 10 working days (calendar days) before the anticipated project start date. Building Demolitions in Bernalillo County require Department signatures for dust control and asbestos notification before a demolition permit will be issued by the City or County.

11. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF 3/4 ACRE UP TO 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 10 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF MORE THAN 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 20 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. **ANTICIPATED PROJECT START DATE IS :** _____/_____/200_____

12. AN APPROVED FUGITIVE DUST CONTROL PERMIT SHALL BE VALID FOR 1 YEAR FROM THE DATE OF APPROVAL BY THE DEPARTMENT OR THE ANTICIPATED PROJECT COMPLETION DATE, WHICHEVER IS LONGER, BUT NO MORE THAN 5 YEARS. IF THE SCOPE OF PROJECT, ACTIVE OPERATIONS, EXPIRATION DATE, TOTAL AREA TO BE DISTURBED, OR CONTROL MEASURE(S) CHANGE IN ANY MANNER THAT ARE DETERMINED BY THE DEPARTMENT TO REQUIRE ADDITIONAL CONDITIONS, THEN A NEW FUGITIVE DUST CONTROL PERMIT SHALL BE REQUIRED. A FUGITIVE DUST CONTROL PERMIT MAY BE RENEWED IF THE DEPARTMENT RECEIVES A WRITTEN REQUEST FROM THE PERMITTEE 10 BUSINESS DAYS PRIOR TO EXPIRATION DATE. **ANTICIPATED PROJECT COMPLETION DATE IS :** _____/_____/200_____

PERMIT APPLICATION - PART A. - PROJECT INFORMATION & GENERAL ACTIVITIES (20.11.20.15 NMAC) (CONTINUED)

- 13. (CHECK ONE BOX) ACTIVE OPERATIONS WILL BE THE TOTAL AREA TO BE DISTURBED , **OR**, ACTIVE OPERATIONS WILL BE PHASED
- 14. IF PHASING OF ACTIVE OPERATIONS (Explain Phasing Plan and include Total Disturbed Area, in acres, at any given time) _____
- 15. IS A SITE DRAINAGE PLAN REQUIRED FOR THIS PROJECT? YES _____ NO _____
- 16. IF YES TO #15 ABOVE, IS DRAINAGE PLAN APPROVED AND AVAILABLE UPON REQUEST BY THE DEPARTMENT? YES _____ NO _____
- 17. EXPECTED VOLUME OF BULK MATERIAL (ON SITE FILL, IMPORTED FILL, BASE COARSE GRAVEL, ETC.) TO BE HANDLED DURING THE DURATION OF THIS PROJECT (in cubic yards) _____ yds³
- 18. VOLUME OF BULK MATERIAL TO BE IMPORTED TO THIS PROJECT SITE _____ yds³
- 19. ADDRESS OF LOCATION(S) FROM WHICH BULK MATERIAL WILL BE IMPORTED TO THIS PROJECT SITE _____
- 20. DO THE BERNALILLO CNTY. LOCATIONS, PROVIDING BULK MATERIAL TO THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?
YES _____ NO _____ UNKNOWN _____
- 21. VOLUME OF BULK MATERIAL TO BE EXPORTED FROM PROJECT SITE _____ yds³
- 22. ADDRESS OF LOCATION(S) IN BERNALILLO CNTY. THAT WILL RECEIVE BULK MATERIAL EXPORTED FROM THIS PROJECT SITE _____
- 23. DO THE BERNALILLO CNTY. LOCATIONS, RECEIVING BULK MATERIAL FROM THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?
YES _____ NO _____ UNKNOWN _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) The "PERMITTEE" shall include in the permit application one or more of the applicable reasonably available control measures given in Part B.1 – B.12 below, **OR** one or more other (alternative) fugitive dust control measures, including measures taken to comply with any other statute or regulation that would also effectively control fugitive dust during active and inactive operations or construction activity (20.11.20.23 NMAC).

NOTE: If the "PERMITTEE" chooses to submit, as an attachment to this application, an alternative fugitive dust control plan in lieu of the control measures given in Part B.1 – B.12 below, the alternative fugitive dust control plan (such as a storm water pollution prevention plan) must include detailed information that addresses: 1) the steady ongoing Reasonably Available Control Measures to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas; and 2) fugitive dust control Contingency Measures that will be used; and 3) action(s) to be taken to mitigate property damage (see Part C of this application). If submitting an alternative fugitive dust control plan you still must complete and initial Parts A, D, E, F, G, H, and I (if utilized) of this application.

1. UNPAVED ROADWAYS [check applicable box(es)]:

- a. paving using recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using wet suppression;
- d. using traffic controls, including decreased speed limits with appropriate enforcement; other traffic calming methods, vehicle access restrictions and controls; road closures or barricades; and off-road vehicle access controls and closures;
- e. other (alternative) _____

2. PAVED ROADWAYS [check applicable box(es)]:

- a. cleaning up spillage and track out as necessary to prevent particulates from being pulverized and entrained into the atmosphere;
- b. using paved or gravel entry/exit aprons with devices, such as steel grates, capable of knocking mud and bulk material off vehicle tires;
- c. using on-site wheel washes;
- d. performing regularly scheduled vacuum street cleaning or wet sweeping with a sweeper certified by the manufacturer to be efficient at removing particulate matter having an aerodynamic diameter of less than 10 microns (i.e. PM₁₀);
- e. other (alternative) _____

3. TRUCKS HAULING BULK MATERIALS ON PUBLIC AND PRIVATE ROADWAYS [check applicable box(es)]:

- a. using properly secured tarps or cargo covering that covers the entire surface area of the load;
- b. preventing leakage from the truck bed, sideboards, tailgate, or bottom dump gate;
- c. using wet suppression to increase moisture content of the bulk materials being hauled;
- d. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. maintaining a minimum of 6 inches of freeboard below the rim of the truck bed. Freeboard means the vertical distance from the highest portion of the load abutting the bed and the lowest part of the top rim of the truck bed abutting the load;
- f. other (alternative) _____

4. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

- SHORT TERM** control measures shall include (check this box first if utilizing short term measures listed below):
 - a. wet suppression;
 - b. dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
 - c. temporary upwind windbreaks, including fabric fences with the top at least 4 feet above grade, and with the bottom of the fence sufficiently anchored to the ground to prevent material from blowing underneath the fence; all windbreaks and fabric fences shall be maintained in an upright and functional condition at all times until no longer needed to prevent or abate fugitive dust; all accumulated material on the windward side of the windbreak shall be periodically removed to prevent failure of the windbreak;
 - d. watering the site at the end of each workday sufficient to stabilize the work area;
 - e. applying dust suppressants in amounts and rates recommended by the manufacturer on the worksite at the end of each work week if no active operations are going to take place over the weekend or if active operations stop for more than two consecutive days;
 - f. starting construction at the location that is upwind from the prevailing wind direction and stabilizing disturbed areas before disturbing additional areas;
 - g. clean up and removal of track-out material;
 - h. other (alternative) _____

5. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

- LONG TERM** control measures shall include (check this box first if utilizing long term measures listed below):
 - a. site stabilization using dust suppressants applied in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
 - b. reseeding using native grasses as specified in 20.11.20.24 NMAC – NATIVE GRASS SEEDING AND MULCH SPECIFICATIONS;
 - c. xeriscaping;
 - d. installing parallel rows of fabric fencing or other windbreaks set perpendicular to the prevailing wind direction either onsite or on a nearby property with the permission of the nearby property owner;
 - e. surfacing with gravel or other mulch material of a size and density sufficient to prevent surface material from becoming airborne;
 - f. mulching and crimping of straw or hay as specified in Section 20.11.20.24 NMAC;
 - g. installing permanent perimeter and interior walls;
 - h. conventional landscaping techniques;
 - i. clean up and removal of track-out material;
 - j. other (alternative) _____

6. BULK MATERIAL HANDLING [check applicable box(es)]:

- a. using spray bars;
- b. applying wetting agents (surfactants) to bulk material;
- c. using wet suppression through manual or mechanical application;
- d. adding dust suppressants to bulk materials in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. reducing process speeds;
- f. reducing drop heights;
- g. other (alternative) _____

7. INDUSTRIAL SITES [check applicable box(es)]:

- a. paving roadways and parking area with recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. performing regularly scheduled vacuum street cleaning or wet sweeping;
- c. regularly using wet suppression on unpaved areas;
- d. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. installing wind breaks;
- f. installing enclosures;
- g. installing on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify on-site personnel of high winds;
- h. increasing wet suppression applications before and during high wind conditions;
- i. other (alternative) _____

8. DEMOLITION/RENOVATION ACTIVITIES (NON-ASBESTOS CONTAINING MATERIALS PRESENT) [check applicable box(es)]:

- a. using constant wet suppression on the debris piles during demolition;
- b. using water or dust suppressants on the debris pile, applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using enclosures;
- d. using curtains or shrouds;
- e. using negative pressure dust collectors;
- f. other (alternative) _____

9. MILLING, GRINDING OR CUTTING OF PAVED OR CONCRETE SURFACES [check applicable box(es)]:

- a. constantly using wet suppression;
- b. ongoing clean up of milled, ground or cut material by using wet sweeping;
- c. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using enclosures;
- e. using curtains or shrouds;
- f. other (alternative) _____

10. PRESSURE BLASTING OPERATIONS [check applicable box(es)]:

- a. using non-friable abrasive material;
- b. using curtains, enclosures or shrouds;
- c. using negative pressure dust collectors;
- d. using constant wet suppression;
- e. maintaining ongoing clean up of abrasive material;
- f. other (alternative) _____

11. SPRAY PAINTING AND OTHER COATINGS [check applicable box(es)]:

- a. using enclosures that comply with applicable fire codes;
- b. using curtains, enclosures or shrouds;
- c. other (alternative) _____

12. HIGH WIND CONTINGENCY MEASURES [check applicable box(es)]:

NOTE: It is required during a high wind event (5 consecutive minutes with an average wind speed of 30 miles per hour or higher) that ALL fugitive dust sources cease all active operations that are capable of producing fugitive dust; and continue to use reasonably available control measures; and implement high wind contingency measures.

- a. installing and using on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify site personnel of high winds;
- b. using constant wet suppression;
- c. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using wetting agents or surfactants on disturbed areas, bulk materials or stockpiles;
- e. other (alternative) _____

PERMIT APPLICATION - PART C. - FUGITIVE DUST CONTROL PLAN (PLAN) (20.11.20.14 NMAC)

(PRINT OR TYPE)

NOTE: The "PERMITTEE" is required to comply with a Fugitive Dust Control Plan that details the Fugitive Dust Control Measures that will be used to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas. This includes: 1) steady ongoing Reasonably Available Control Measures; and 2) fugitive dust control Contingency Measures; and 3) action(s) that will be taken to mitigate claims of property damage. IF YOU ARE NOT SUBMITTING AS AN ATTACHMENT TO THIS APPLICATION AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN, THEN YOU MUST COMPLETE PART C.1 - C.3 BELOW TO COMPLETE YOUR FUGITIVE DUST CONTROL PLAN.

1. DESCRIBE IN DETAIL THE STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES THAT YOU MAY HAVE SELECTED IN PART B.1 – B.12 OF THIS APPLICATION THAT WILL BE USED DURING THIS PROJECT TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE DISTURBED SURFACE AREAS (any current operation capable of creating dust) AND INACTIVE DISTURBED SURFACE AREAS (previously disturbed areas where active operations are temporarily suspended). (Some examples are: Provide detailed information that may include the type, size and quantity of equipment that will be used for wet suppression, and frequency of use; Type of traffic control that will be used; Type and locations of fencing or walls that will be installed; Type and frequency of use of vacuum or wet sweeping that will be used; Location and type of temporary pavements that will be used; Seeding plan; etc.).

ACTIVE - _____

INACTIVE - _____

2. DESCRIBE IN DETAIL THE ADDITIONAL FUGITIVE DUST CONTROL CONTINGENCY MEASURES THAT WILL BE USED DURING THIS PROJECT IF THE REASONABLY AVAILABLE CONTROL MEASURES CHOSEN IN PART B.1 – B.12 AND DETAILED IN PART C.1 ABOVE ARE DETERMINED BY THE DEPARTMENT TO BE INSUFFICIENT TO PROVIDE ADEQUATE FUGITIVE DUST CONTROL DURING ACTIVE AND INACTIVE OPERATIONS.

ACTIVE - _____

INACTIVE - _____

3. DESCRIBE THE ACTION(S) THAT WILL BE TAKEN TO MITIGATE CLAIMS OF PROPERTY DAMAGE BY FUGITIVE DUST GENERATED AT/FROM THIS PROJECT. IT IS REQUIRED TO REMEDY DAMAGE TO REAL PROPERTIES CAUSED BY A VIOLATION OF THE PERMIT (20.11.20.12.C NMAC).

NOTE: A high wind event is a time period of 5 consecutive minutes with an average wind speed of 30 miles per hour or higher. ALL fugitive dust sources shall cease all Active Operations that are capable of producing fugitive dust; and continue to use Reasonably Available Control Measures; and implement high wind contingency measures during a High Wind Event.

1. DESCRIBE IN DETAIL HOW THE HIGH WIND CONTINGENCY MEASURE(S) CHOSEN WILL BE USED DURING THIS PROJECT _____

PERMIT APPLICATION PART – E. - HIGH WIND AFFIRMATIVE DEFENSE (20.11.20.16 NMAC)

ATTENTION !!!

TO ASSERT A HIGH WIND AFFIRMATIVE DEFENSE, THE PERMITTEE AGREES TO USE ONE OF THE THREE MANDATORY CONTROL MEASURES SHOWN BELOW THROUGHOUT THE ENTIRE DURATION OF THE PERMIT, REGARDLESS OF WHETHER OR NOT A HIGH WIND EVENT EXISTS.

DO YOU WISH TO QUALIFY FOR A HIGH WIND AFFIRMATIVE DEFENSE DURING THE DURATION OF THIS PERMIT? YES ___ NO ___

IF THE ANSWER TO THE ABOVE QUESTION IS YES, THEN CHOOSE ONE OF THE REQUIRED CONTROL MEASURES SHOWN BELOW

- 1. Using wet suppression sufficient to provide and maintain a soil moisture content of not less than 12 percent, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high); and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 2. Using chemical dust suppressants, in amounts and rates recommended by the manufacturer, sufficient to substantially reduce fugitive dust leaving the project area while Active Operations are idle, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high), and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 3. Using an alternative dust control measure or measures that provide fugitive dust control that is equal to or better than using the measures described in options E.1 or E.2 above; and during a High Wind Event ceasing all Active Operations but continuing to use all control measures. If you choose to qualify for a High Wind Affirmative Defense and are selecting E.3, submit as an attachment the alternative dust control measure or measures for Department approval.

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC)

(PRINT OR TYPE)

AT THE TIME OF SUBMITTAL, ANY PERSON FILING AN APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT SHALL PAY THE APPLICABLE FEES REQUIRED. NO APPLICATION WILL BE REVIEWED OR PERMIT ISSUED UNLESS ALL APPLICABLE FEES HAVE BEEN PAID. CONSTRUCTION PERMITS FOR SURFACE DISTURBANCE REQUIRE A FILING & REVIEW FEE, AND AN INSPECTION FEE.

1. FILING & REVIEW FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED	FILING & REVIEW FEE	CHECK APPROPRIATE BOX
¾ acre to less than 2 acres	\$250.00	
2 acres to less than 5 acres	\$350.00	
5 acres to less than 15 acres	\$450.00	
15 acres or greater	\$550.00	

NOTE: THE PERMITTEE SHALL INSTALL AND MAINTAIN A PROJECT SIGN, ISSUED OR APPROVED BY THE DEPARTMENT, FOR ALL FUGITIVE DUST CONTROL PROJECTS OF 10 OR MORE ACRES.

INSPECTION FEE: - To calculate the fugitive dust control Inspection Fee below, which is in addition to the above Filing & Review Fee, multiply the total project acreage to be disturbed by the per - acre rate shown in the table below. The total project acreage to be disturbed, used to calculate the Inspection Fee below, must be expressed as a whole number. When rounding, if the number after the decimal point is less than 5, the whole number remains unchanged. If the number after the decimal point is 5 or greater, the whole number shall be rounded up to the next whole number. Rounding of acres shall occur before the Inspection Fee is calculated.

2. INSPECTION FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED (ROUNDED TO NEAREST WHOLE NUMBER)	TIMES	PER ACRE RATE (BASED ON 20.11.2.15 NMAC)	INSPECTION FEE
	X	\$100.00	= \$

PERMIT APPLICATION PART – H. – OWNER OR OPERATOR INFORMATION (20.11.20.15 NMAC)

Complete the owner and/or operator information below ONLY IF DIFFERENT THAN THE PERSON WHO HAS SIGNED AS THE PERMITTEE IN SECTION G, OR as a responsible person(s) in Section I of this application for a fugitive dust control permit.

NOTE: If the Permittee fails to comply with the provisions of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator, if different from a Responsible Person or the Permittee, shall be responsible for complying with the permit. If the Permittee fails to take all required actions to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator or designated Responsible Person, if different than the Permittee, shall be responsible to take all actions required to prevent or satisfactorily resolve a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping all active operations, if necessary. To mitigate fugitive dust, all Inactive Disturbed Surface Areas must be stabilized and maintained in stable condition by the Owner, Operator, OR Person responsible for maintenance of the disturbed surface. Failure to comply shall be a violation of 20.11.20 NMAC – Fugitive Dust Control (20.11.20.12 NMAC).

PROJECT OWNER INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OWNER'S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OWNER

SIGNATURE OF PROJECT OWNER

INITIALS OF PROJECT OWNER

DATE SIGNED

MAILING ADDRESS OF PROJECT OWNER

CITY

STATE

ZIP CODE

PHONE OF PROJECT OWNER

CELL OF PROJECT OWNER

PAGER OF PROJECT OWNER

FAX OF OWNER

EMAIL ADDRESS OF PROJECT OWNER

The **GENERAL PROVISIONS** of 20.11.20 NMAC – Fugitive Dust Control states that no person shall allow fugitive dust, track-out, or transported material from any active operation, open storage pile, paved or unpaved roadway or disturbed surface area, or inactive disturbed surface area to be carried beyond the property line, right-of-way, easement or any other area under the control of the person generating or allowing the fugitive dust if the fugitive dust will: 1) adversely affect the health, public welfare or safety of the residents of Bernalillo county; or 2) impair visibility or the reasonable use of property; or 3) be visible longer than a total of 15 minutes in any 1 hour observation period using the visible fugitive dust detection method in 20.11.20.26 NMAC (visual determination of fugitive dust emissions violations) or an equivalent method approved in writing by the department.

PROJECT OPERATOR INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OPERATOR'S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

SIGNATURE OF PROJECT OPERATOR

INITIALS OF PROJECT OPERATOR

DATE SIGNED

MAILING ADDRESS OF PROJECT OPERATOR

CITY

STATE

ZIP CODE

PHONE OF PROJECT OPERATOR

CELL OF PROJECT OPERATOR

PAGER OF PROJECT OPERATOR

FAX OF PROJECT OPERATOR

EMAIL ADDRESS OF PROJECT OPERATOR

PERMIT APPLICATION PART – I. – SIGNATURE AUTHORITY OF “RESPONSIBLE PERSON” (20.11.20.14 NMAC) - “Responsible Person” means the person designated in a permit who is responsible for complying with the permit, plan and 20.11.20 NMAC – Fugitive Dust Control, to the extent specified in the permit.

NOTE: If more than 1 individual will be designated a responsible person at the time of this application submittal, make photocopies of this page before completing any information. After the issuance of the permit, the department may approve in writing an amendment to the permit to add or change a designated responsible person(s).

The Permittee, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined above. If different then the Permittee, a person that agrees in writing to be a responsible person will be liable for violations of the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control and shall be the first person contacted by the Department to resolve a violation of the permit or Part 20.11.20 NMAC to the extent outlined below in the ‘Active Operation responsibilities of individual signing as a Responsible Person’ [activity(ies)].

_____ PRINT RESPONSIBLE PERSON’S BUSINESS NAME	_____ PRINT NAME OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
_____ PRINT TITLE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ DATE SIGNED
_____ SIGNATURE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ INITIALS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
_____ ADDRESS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ CITY _____ STATE _____ ZIP CODE
_____ PHONE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ CELL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
_____ PAGER OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ FAX OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
_____ EMAIL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ ACTIVE OPERATION RESPONSIBILITIES OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON [ACTIVITY(IES)]
_____ SIGNATURE OF PERMITTEE APPROVING THE DESIGNATION OF ABOVE INDIVIDUAL AS A RESPONSIBLE PERSON	_____ DATE SIGNED

NOTE: By signing above as a Responsible Person you will be designated in the permit issued by the Department as responsible for complying with the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control to the extent specified in the above [activity(ies)]. You will be responsible for the above [activity(ies)] for the duration of the permit OR until such time as the Department receives a request from the permittee to remove you from being the responsible person for the above [activity(ies)]. The Permittee will become the responsible person for the [activity(ies)] that a responsible person is removed from, unless a new responsible person is designated for the same [activity(ies)] and approved by the Department in writing.

NOTE: The Permittee or responsible person shall MAINTAIN A CURRENT COPY OF THE PERMIT AT THE WORK SITE and make the permit available and explain the requirements of the permit to appropriate employees, agents, contractors, and any other person performing work in the area of active disturbance to assist in maintaining compliance with Part 20.11.20 NMAC – Fugitive Dust Control.

PURSUANT TO THE AIR QUALITY CONTROL ACT, CHAPTER 74, ARTICLE 2 NEW MEXICO STATUTES ANNOTATED 1978, AS AMENDED; THE ALBUQUERQUE JOINT AIR QUALITY CONTROL BOARD ORDINANCE, 9-5-1-1 ROA 1994; THE BERNALILLO COUNTY JOINT AIR QUALITY CONTROL BOARD ORDINANCE, BERNALILLO COUNTY ORDINANCE 94-5, AND THE ALBUQUERQUE/BERNALILLO COUNTY AIR QUALITY CONTROL BOARD (A/BCAQCB) REGULATION TITLE 20, CHAPTER 11, PART 20, NEW MEXICO ADMINISTRATIVE CODE (NMAC), (20.11.20 NMAC) - FUGITIVE DUST CONTROL, AND UPON AUTHORIZED SIGNATURES BELOW, THIS APPLICATION TOGETHER WITH ASSOCIATED DRAWINGS, PLANS, APPENDED DOCUMENTS, OTHER DATA, AND ANY CONDITIONS ATTACHED TO THE PERMIT BY THE DEPARTMENT, WILL BECOME THE FUGITIVE DUST CONTROL PERMIT. TABLE BELOW FOR DEPARTMENT USE.

APPLICATION REVIEWED BY:	DEEMED COMPLETE DATE	PERMIT ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____ - AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____ / _____ /200	_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____ / _____ /200	_____ / _____ /200 -

PERMIT APPLICATION PART – J. – TRANSFER OF FUGITIVE DUST CONTROL PERMIT AND PLAN (20.11.20.14 NMAC)

ATTENTION: USE THIS SIGNATURE PAGE ONLY IF TRANSFERRING COMPLETE RESPONSIBILITY OF A CURRENT FUGITIVE DUST CONTROL PERMIT AND PLAN TO A NEW PERMITTEE.

A FUGITIVE DUST CONTROL PERMIT AND PLAN MAY BE TRANSFERRED TO LEGAL HEIRS, SUCCESSORS, AND ASSIGNS, WHO SHALL BECOME THE NEW PERMITTEE. TRANSFERS MAY BE MADE AS AN ADMINISTRATIVE AMENDMENT PROVIDED THAT:

- 1) A WRITTEN TRANSFER OF AGREEMENT IS DRAFTED BETWEEN THE CURRENT AND NEW PERMITTEE, AND THE PROJECT OWNER; AND
- 2) A SPECIFIC DATE IS ESTABLISHED FOR THE TRANSFER OF THE PERMIT AND PLAN RESPONSIBILITY, COVERAGE, AND LIABILITY; AND
- 3) DEPARTMENT APPROVAL OF WRITTEN TRANSFER OF AGREEMENT HAS BEEN AUTHORIZED.

THERE IS NO COST FOR TRANSFER OF THE FUGITIVE DUST CONTROL PERMIT AND PLAN IF DETERMINED BY THE DEPARTMENT THAT ONLY ADMINISTRATIVE CHANGE IS NEEDED. HOWEVER, NEW APPLICATION INFORMATION MUST BE SUBMITTED BY THE NEW PERMITTEE OR OWNER ALONG WITH ANY APPLICABLE FEES, IF DETERMINED BY THE DEPARTMENT THAT NECESSARY CHANGES ARE REQUIRED TO COMPLETE THE TRANSFER OF AGREEMENT (PARTICULARLY, ANY INCREASE TO THE PERMITTED 'TOTAL AREA TO BE DISTURBED').

TRANSFER OF AGREEMENT SIGNATURE BOX FOR CURRENT PERMITTEE		
PRINTED NAME OF INDIVIDUAL SIGNING FOR CURRENT PERMITTEE	REQUESTED DATE FOR TRANSFER OF PERMIT AND PLAN	
SIGNATURE OF CURRENT PERMITTEE	INITIALS OF CURRENT PERMITTEE	SUBMITTAL DATE OF THIS PAGE

TRANSFER OF AGREEMENT SIGNATURE BOX FOR NEW PERMITTEE	
PRINT NEW PERMITTEE BUSINESS NAME	REQUESTED DATE FOR ACCEPTANCE OF PERMIT AND PLAN
PRINTED NAME OF INDIVIDUAL SIGNING FOR NEW PERMITTEE	PRINT TITLE OF INDIVIDUAL SIGNING FOR NEW PERMITTEE
SIGNATURE OF NEW PERMITTEE	INITIALS OF NEW PERMITTEE
BY SIGNING ABOVE AS THE NEW PERMITTEE, I AGREE TO ACCEPT RESPONSIBILITY, COVERAGE, AND LIABILITY FOR THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN.	

TRANSFER OF AGREEMENT SIGNATURE BOX FOR PROJECT OWNER	
PRINTED NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER	DATE SIGNED
SIGNATURE OF PROJECT OWNER	INITIALS OF PROJECT OWNER
BY SIGNING ABOVE AS THE PROJECT OWNER, I AGREE TO THE TRANSFER OF RESPONSIBILITY OF THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN TO THE ABOVE SIGNED NEW PERMITTEE.	

AREA BELOW FOR DEPARTMENT USE

INITIAL ONE OF THE CONDITIONS (A OR B) GIVEN BELOW

- A.) The department has determined that no change to the permit/plan other than administrative change is necessary _____
- B.) The department has determined that necessary change(s) to the permit and/or plan are required prior to transfer _____

PERMIT TRANSFER OF AGREEMENT REVIEWED BY:	DEEMED COMPLETE DATE	TRANSFERRED PERMIT # _____ ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200__	_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200__	_____/_____/200__

Appendix B

Correspondence and Consultation

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DEPARTMENT OF THE AIR FORCE
377th Civil Engineer Squadron (AFMC)

13 May 2008

377 MSG/CEANQ
2050 Wyoming Blvd., SE
Kirtland AFB NM 87117-5270

Ms. Kak Slick
State Historic Preservation Officer
Office of Cultural Affairs
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

Dear Ms. Slick:

This letter is a request for concurrence of no effect to historic properties. The project is the development of an AFFES Shoppette. The project consists of constructing a 4900 SF Shoppette and an automatic carwash. A 1977 Aerial Photograph indicates a small structure within the project area (attachment 1). That structure has been demolished and the area is now a vacant lot with some old roads throughout (attachment 2)

This area is highly disturbed and no cultural resources will be impacted by the proposed action. If however, resources are inadvertently discovered they will stop all work and comply with Kirtland AFB inadvertent discovery procedures and the National Historic Preservation Act, As Amended 1966 regulations [Section 800.6, 800.11 (b)(2)(i)].

We would be happy answer any questions you may have about our proposed action. We appreciate your review of this information and will assume your concurrence if we receive no reply within 30 days. If you have any questions or require further information, please do not hesitate to contact me at 505-846-8840.

Sincerely,

VALERIE RENNER
Cultural Resource Manager
Kirtland Air Force Base

Attachments:

Attachment 1: 1977 Aerial Photograph
Attachment 2: 2007 Aerial Photograph

List of Tribal Groups for AFFES Project

Zuni

San Juan Pueblo

Isleta Pueblo

Zia Pueblo

Laguna Pueblo

Ysleta del Sur Pueblo

Pueblo of Pojoaque

Jemez Pueblo

San Felipe Pueblo

Acoma Pueblo

Santa Ana Pueblo

Cochiti Pueblo

Santo Domingo Pueblo

Toas Pueblo

Navajo nation

Mescalero Apache

Jicarilla Apache

Sandia Pueblo

Tesuque Pueblo

San Ildefonso Pueblo

Santa Clara Pueblo

Picuris Pueblo

Nambe Pueblo



DEPARTMENT OF THE AIR FORCE
377th Civil Engineer Division (AFMC)

377 MSG/CE
2050 Wyoming Blvd., SE
Kirtland AFB NM 87117-5663

Governor Robert Benavidez
P.O. Box 1270
Isleta Pueblo, NM 87022

Dear Governor Benavidez

I am offering this letter to inform you of an Environmental Assessment (EA) regarding a proposed project at Kirtland AFB. You can go to <http://www.kirtland.af.mil/> bottom left of the page to view the entire EA. The project involves the construction of an Army & Air Force Exchange Service Shoppette, a 4900 square foot facility with an automatic carwash (Attachment 1). A 1977 aerial photograph illustrates the area has previously been disturbed and utilized for more than 30 years (Attachment 2).

The area has no known cultural resources which will be impacted by the proposed action. If however, resources are inadvertently discovered, all construction activity will stop and personnel will comply with Kirtland AFB Inadvertent Discovery Procedures and the National Historic Preservation Act, as amended in the 1966 regulation [Section 800.6, 800.11 (b)(2)(i)].

Kirtland AFB would be happy to address any questions you may have about our proposed action. We appreciate your review of this information and will assume your concurrence if we do not receive a request for additional information within 30 days. If you have any questions or require further information, please do not hesitate to contact Ms. Valerie Renner, my Cultural Resource Manager, at 505-846-8840 or Valerie.renner@kirtland.af.mil.

Sincerely,

D. BRENT WILSON, PE
Base Civil Engineer

- 2 Attachments:
1. Project Overlay
 2. 1977 Aerial Photograph of Project Area

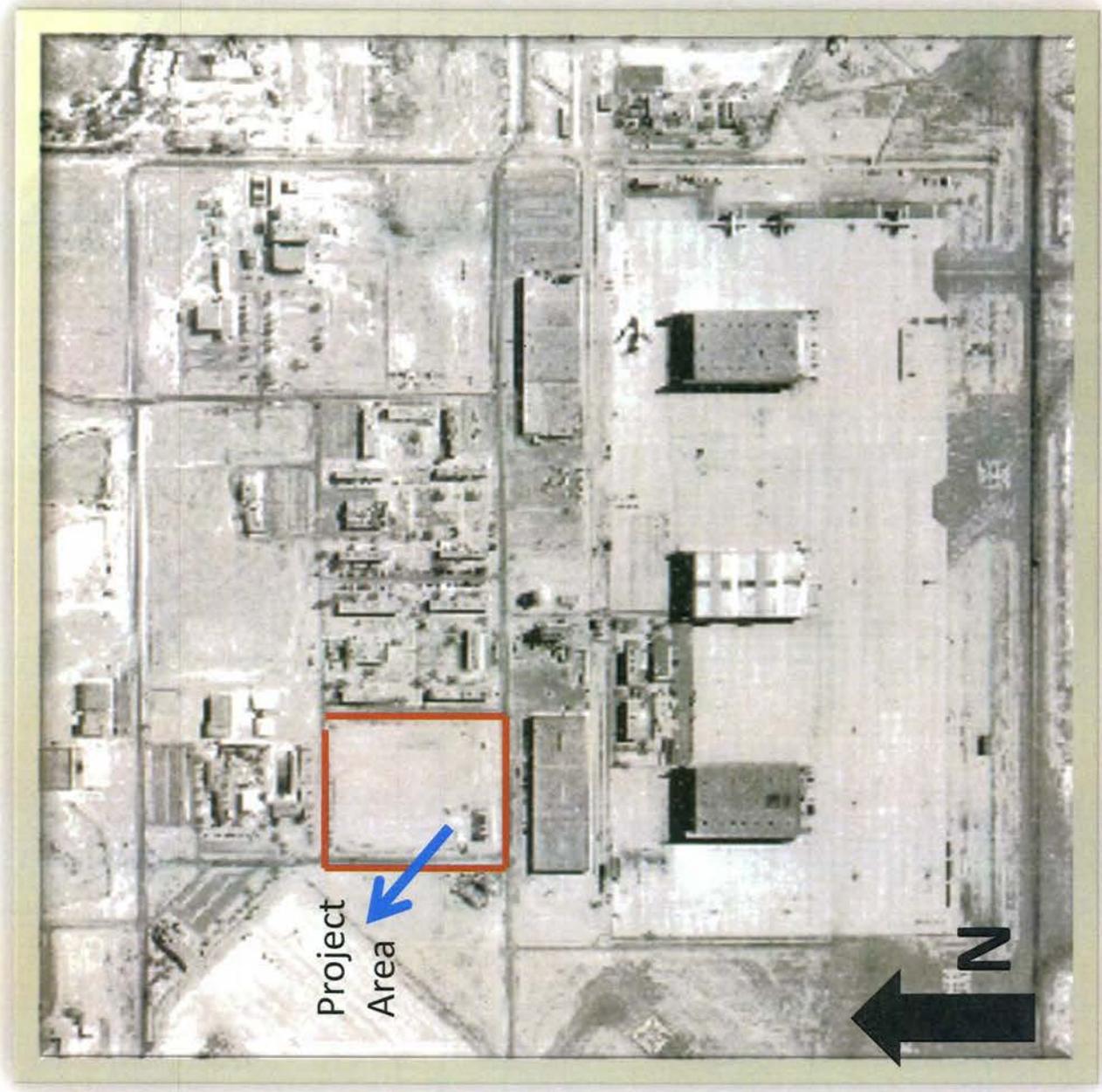
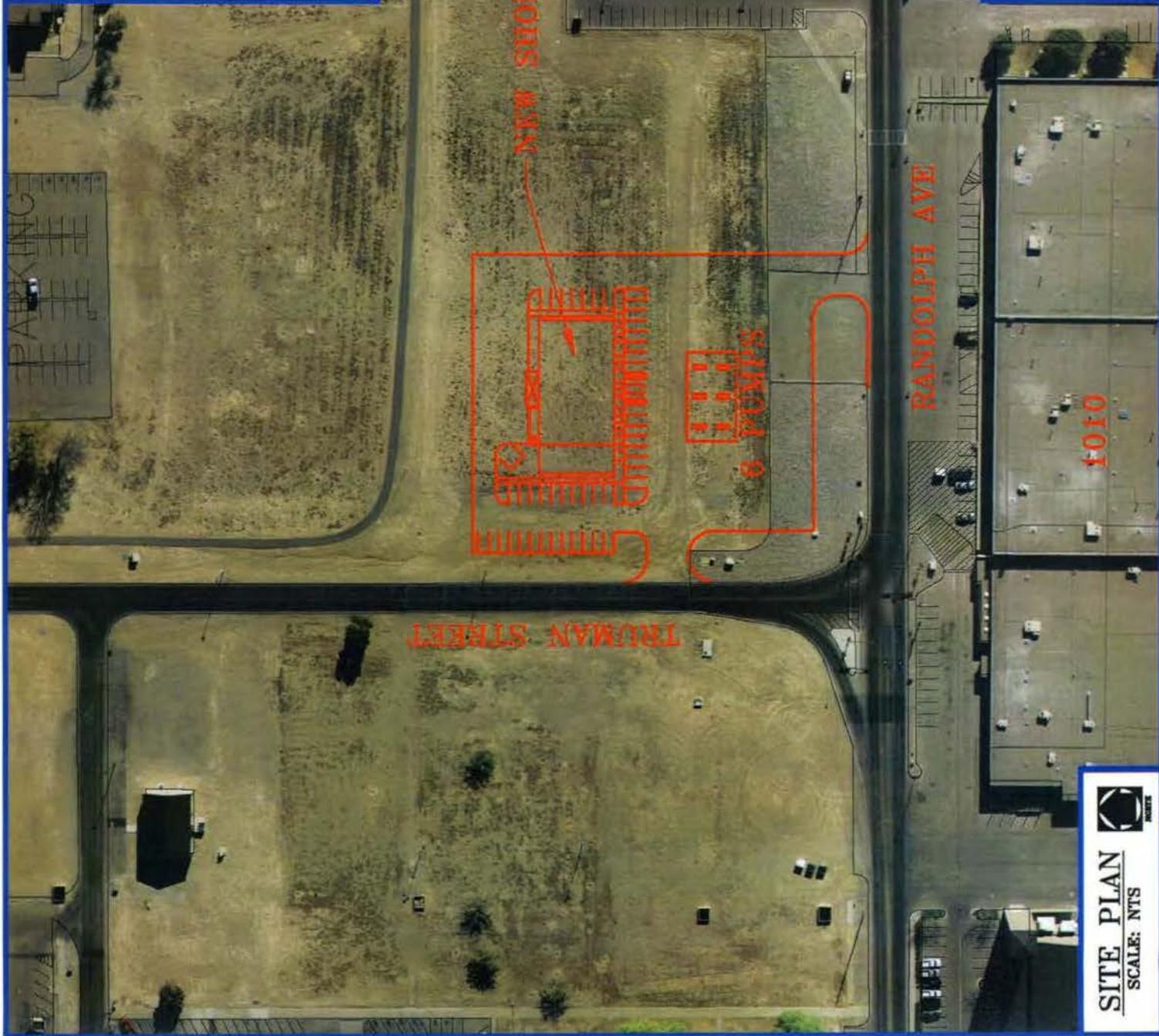
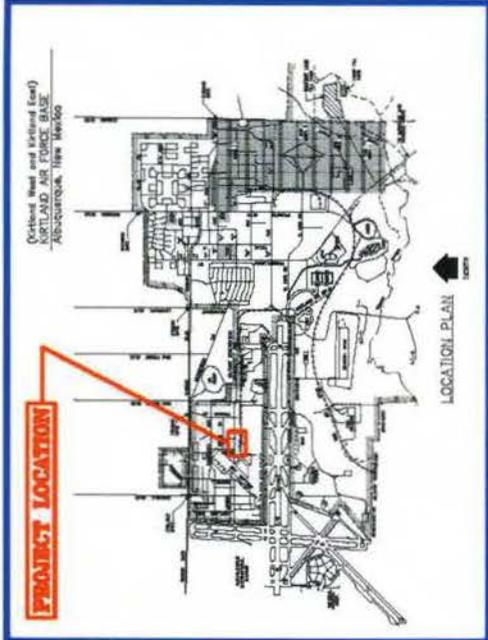


Figure 1: 1977 Aerial Photograph of the proposed project area



SITE PLAN
 SCALE: NTS



DATE: APRIL 24, 2007

SHEET 1 of 1

SITE NO. 07-19a

Appendix C

**Notice of Intent (NOI) for
Stormwater Discharges Associated
with Construction Activity under a
NPDES General Permit and Notice of
Termination (NOT)**

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NPDES
Form



United States Environmental Protection Agency
Washington, DC 20460

**Notice of Intent (NOI) for Storm Water Discharges Associated with
Construction Activity Under an NPDES General Permit**

Submission of this Notice of Intent (NOI) constitutes notice that the party identified in Section II of this form requests authorization to discharge pursuant to the NPDES Construction General Permit (CGP) permit number identified in Section I of this form. Submission of this NOI also constitutes notice that the party identified in Section II of this form meets the eligibility requirements of the CGP for the project identified in Section III of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Refer to the instructions at the end of this form.

I. Permit Number

II. Operator Information

Name: _____

IRS Employer Identification Number (EIN): _____ - _____

Mailing Address:

Street: _____

City: _____ State: _____ Zip Code: _____ - _____

Phone: _____ - _____ - _____ Fax (optional): _____ - _____ - _____

E-mail (optional): _____

III. Project/Site Information

Project/Site Name: _____

Project Street/Location: _____

City: _____ State: _____ Zip Code: _____ - _____

County or similar government subdivision: _____

Latitude/Longitude (Use one of three possible formats, and specify method)

- | | | | |
|----------|--|-----------|--|
| Latitude | 1. ____° ____' ____" N (degrees, minutes, seconds) | Longitude | 1. ____° ____' ____" W (degrees, minutes, seconds) |
| | 2. ____° ____' ____" N (degrees, minutes, decimal) | | 2. ____° ____' ____" W (degrees, minutes, decimal) |
| | 3. ____° ____' ____" N (decimal) | | 3. ____° ____' ____" W (decimal) |

Method: U.S.G.S. topographic map EPA web site GPS Other:
• If you used a U.S.G.S. topographic map, what was the scale: _____

Project Located in Indian country? Yes No
If so, name of Reservation or if not part of a Reservation, put "Not Applicable": _____

Estimated Project Start Date: _____ / _____ / _____ Estimated Project Completion Date: _____ / _____ / _____
Month Date Year Month Date Year

Estimated Area to be Disturbed (to the nearest quarter acre): _____ . _____

**Notice of Intent (NOI) for Storm Water Discharges Associated with
Construction Activity Under an NPDES General Permit**

NPDES Form

This Form Replaces Form 3510-9 (8/98)

Form Approved OMB Nos. 2040-0188 and 2040-0211

Who Must File an NOI Form

Under the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et seq.; the Act), federal law prohibits storm water discharges from certain construction activities to waters of the U.S. unless that discharge is covered under a National Pollutant Discharge Elimination System (NPDES) Permit. Operator(s) of construction sites where one or more acres are disturbed, smaller sites that are part of a larger common plan of development or sale where there is a cumulative disturbance of at least one acre, or any other site specifically designated by the Director, must submit an NOI to obtain coverage under an NPDES general permit. Each person, firm, public organization, or any other entity that meets either of the following criteria must file this form: (1) they have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or (2) they have day-to-day operational control of those activities at the project necessary to ensure compliance with SWPPP requirements or other permit conditions. If you have questions about whether you need an NPDES storm water permit, or if you need information to determine whether EPA or your state agency is the permitting authority, refer to www.epa.gov/npdes/stormwater/cgp or telephone the Storm Water Notice Processing Center at (866) 352-7755.

Where to File NOI Form

See the applicable CGP for information on where to send your completed NOI form.

Completing the Form

Obtain and read a copy of the appropriate EPA Storm Water Construction General Permit for your area. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks (abbreviate if necessary to stay within the number of characters allowed for each item). Use one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions on this form, refer to www.epa.gov/npdes/stormwater/cgp or telephone the Storm Water Notice Processing Center at (866) 352-7755. Please submit original document with signature in ink - do not send a photocopied signature.

Section I. Permit Number

Provide the number of the permit under which you are applying for coverage (see Appendix B of the general permit for the list of eligible permit numbers).

Section II. Operator Information

Provide the legal name of the person, firm, public organization, or any other entity that operates the project described in this

application. An operator of a project is a legal entity that controls at least a portion of site operations and is not necessarily the site manager. Provide the employer identification number (EIN from the Internal Revenue Service; IRS), also commonly referred to as your taxpayer ID. If the applicant does not have an EIN enter "NA" in the space provided. Also provide the operator's mailing address, telephone number, fax number (optional) and e-mail address (if you would like to be notified via e-mail of NOI approval when available). Correspondence for the NOI will be sent to this address.

Section III. Project/Site Information

Enter the official or legal name and complete street address, including city, state, zip code, and county or similar government subdivision of the project or site. If the project or site lacks a street address, indicate the general location of the site (e.g., Intersection of State Highways 61 and 34). Complete site information must be provided for permit coverage to be granted.

The applicant must also provide the latitude and longitude of the facility either in degrees, minutes, seconds; degrees, minutes, decimal; or decimal format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (U.S.G.S.) topographic or quadrangle maps, and EPA's web-based siting tools, among others. Refer to www.epa.gov/npdes/stormwater/cgp for further guidance on the use of these methodologies. For consistency, EPA requests that measurements be taken from the approximate center of the construction site. Applicants must specify which method they used to determine latitude and longitude. If a U.S.G.S. topographic map is used, applicants are required to specify the scale of the map used.

Indicate whether the project is in Indian country, and if so, provide the name of the Reservation. If the project is in Indian Country Lands that are not part of a Reservation, indicate "not applicable" in the space provided.

Enter the estimated construction start and completion dates using four digits for the year (i.e., 05/27/1998). Enter the estimated area to be disturbed including but not limited to: grubbing, excavation, grading, and utilities and infrastructure installation. Indicate to the nearest quarter acre. Note: 1 acre = 43,560 sq. ft.

Section IV. SWPPP Information

Indicate whether or not the SWPPP was prepared in advance of filing the NOI form. Check the appropriate box for the location where the SWPPP may be viewed. Provide the name,

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Under an NPDES General Permit

NPDES Form

This Form Replaces Form 3510-9 (8/98)

Form Approved OMB Nos. 2040-0188 and 2040-0211

fax number (optional), and e-mail address (optional) of the contact person if different than that listed in Section II of the NOI form.

Section V. Discharge Information

Enter the name(s) of receiving waterbodies to which the project's storm water will discharge. These should be the first bodies of water that the discharge will reach. (Note: If you discharge to more than one waterbody, please indicate all such waters in the space provided and attach a separate sheet if necessary.) For example, if the discharge leaves your site and travels through a roadside swale or a storm sewer and then enters a stream that flows to a river, the stream would be the receiving waterbody. Waters of the U.S. include lakes, streams, creeks, rivers, wetlands, impoundments, estuaries, bays, oceans, and other surface bodies of water within the confines of the U.S. and U.S. coastal waters. Waters of the U.S. do not include man-made structures created solely for the purpose of wastewater treatment. U.S. Geological Survey topographical maps may be used to make this determination. If the map does not provide a name, use a format such as "unnamed tributary to Cross Creek". If you discharge into a municipal separate storm sewer system (MS4), you must identify the waterbody into which that portion of the storm sewer discharges. That information should be readily available from the operator of the MS4.

Indicate whether your storm water discharges from construction activities will be consistent with the assumptions and requirements of applicable EPA approved or established TMDL(s). To answer this question, refer to www.epa.gov/npdes/stormwater/cgp for state- and regional-specific TMDL information related to the construction general permit. You may also have to contact your EPA regional office or state agency. If there are no applicable TMDLs or no related requirements, please check the "yes" box in the NOI form.

Section VI. Endangered Species Information

Indicate for which criterion (i.e., A, B, C, D, E, or F) of the permit the applicant is eligible with regard to protection of federally listed endangered and threatened species, and designated critical habitat. See Part 1.3.C.6 and Appendix C of the permit. If you select criterion F, provide the permit tracking number of the operator under which you are certifying eligibility. The permit tracking number is the number assigned to the operator by the Storm Water Notice Processing Center after EPA acceptance of a complete NOI.

Section VII. Certification Information

All applications, including NOIs, must be signed as follows:
For a corporation: By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

Include the name and title of the person signing the form and the date of signing. An unsigned or undated NOI form will not be considered eligible for permit coverage.

Paperwork Reduction Act Notice

Public reporting burden for this application is estimated to average 3.7 hours. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch 2136, U.S. Environmental Protection, Agency, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. Include the OMB control number on any correspondence. Do not send the completed form to this address. **Visit this website for mailing instructions:**

http://cfpub.epa.gov/npdes/stormwater/application_coverage.cfm#mail

Instructions for Completing EPA Form 3510-13
**Notice of Termination (NOT) of Coverage Under an NPDES General Permit for
Storm Water Discharges Associated with Construction Activity**

NPDES Form This Form Replaces Form 3517-7 (8-98)

Form Approved OMB Nos. 2040-0086 and 2040-0211

Who May File an NOT Form

Permittees who are presently covered under the EPA-issued National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity may submit an NOT form when final stabilization has been achieved on all portions of the site for which you are responsible; another operator has assumed control in accordance with Appendix G, Section 11.C of the General Permit over all areas of the site that have not been finally stabilized; coverage under an alternative NPDES permit has been obtained; or for residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.

"Final stabilization" means that all soil disturbing activities at the site have been completed and that a uniform perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. See "final stabilization" definition in Appendix A of the Construction General Permit for further guidance where background native vegetation covers less than 100 percent of the ground, in arid or semi-arid areas, for individual lots in residential construction, and for construction projects on land used for agricultural purposes.

Completing the Form

Type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions about this form, refer to www.epa.gov/npdes/stormwater/cgp or telephone the Storm Water Notice Processing Center at (866) 352-7755. Please submit original document with signature in ink - do not send a photocopied signature.

Section I. Permit Number

Enter the existing NPDES Storm Water General Permit Tracking Number assigned to the project by EPA's Storm Water Notice Processing Center. If you do not know the permit tracking number, refer to www.epa.gov/npdes/stormwater/cgp or contact the Storm Water Notice Processing Center at (866) 352-7755.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box. Check only one:

Final stabilization has been achieved on all portions of the site for which you are responsible.

Another operator has assumed control according to Appendix G, Section 11.C over all areas of the site that have not been finally stabilized.

Coverage under an alternative NPDES permit has been obtained.

For residential construction only, if temporary stabilization has been completed and the residence has been transferred to the homeowner.

Section II. Operator Information

Provide the legal name of the person, firm, public organization, or any other entity that operates the project described in this application and is covered by the permit tracking number identified in Section I. The

operator of the project is the legal entity that controls the site operation, rather than the site manager. Provide the employer identification number (EIN from the Internal Revenue Service; IRS). If the applicant does not have an EIN enter "NA" in the space provided. Enter the complete mailing address and telephone number of the operator. *Optional:* enter the fax number and e-mail address of the operator.

Section III. Project/Site Information

Enter the official or legal name and complete street address, including city, state, zip code, and county or similar government subdivision of the project or site. If the project or site lacks a street address, indicate the general location of the site (e.g., Intersection of State Highways 61 and 34). Complete site information must be provided for termination of permit coverage to be valid.

Section IV. Certification Information

All applications, including NOIs, must be signed as follows:

For a corporation: By a responsible corporate officer. For the purpose of this Part, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

Include the name and title of the person signing the form and the date of signing. An unsigned or undated NOT form will not be considered valid termination of permit coverage.

Paperwork Reduction Act Notice

Public reporting burden for this application is estimated to average 0.5 hours per notice, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Include the OMB number on any correspondence. Do not send the completed form to this address. **Visit this website for mailing instructions:** http://cfpub.epa.gov/npdes/stormwater/application_coverage.cfm#mail

Appendix D
Public Comments and
Newspaper Affidavit

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Public Comments

Environmental Assessment for the Construction and Operation of the Westside Shoppette/Gas Station at Kirtland Air Force Base, Albuquerque, Bernalillo County, New Mexico

Comment 1 - "You mentioned the Kirtland AFB Prairie Dog Management Plan (Watkins 2008), but the plan was not included nor did you mention how to get a copy."

Response 1 – The Prairie Dog Management Plan reference will be added to the final Environmental Assessment (EA) reference list. Additionally, all documents and references are available through Kirtland's National Environmental Policy Act Program Manager via mail at 377 MSG/CEANQ, 2050 Wyoming Boulevard SE, Kirtland AFB, NM 87117-5270 or via e-mail at NEPA@kirtland.af.mil.

Comment 2 - "The EA stated that the traffic will slightly increase. But you did not mention which gate will be used. During construction, will the contractors use the Kirtland Gate (contracting) to come in and out? And once completed, will the refueling trucks be using the Kirtland Gate? If the Truman Gate is used for these occasions it will cause a delay for regular employees and a backup."

Response 2 – As required by Kirtland AFB, all construction traffic will use the Kirtland Gate during construction, and the refueling trucks will continue using the Kirtland gate during operation of the facility.

Affidavit of Publication

Name of Publication: Albuquerque Journal
Address: 7777 Jefferson NE
City, State, Zip: Albuquerque, New Mexico 87103
Phone#: 505-823-7777

State of: New Mexico
County of: Bernalillo

I, Carleen Duran, for the publisher of
(Name)

Albuquerque Journal, published in the city of
(Name of Publication)

Albuquerque, State of New Mexico.

Hereby certify that the advertisement for Ecology & Environment / AAFES

was published in said newspaper on the following dates:

Sunday, September 7, 2008

Given under my hand, this 8th day of September, 2008

Signature: Carleen Duran

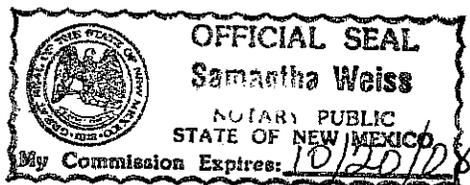
Sworn to and subscribed before me this 8 day of Sept 2008, at

Bernalillo County, state of New Mexico.

Notary Public: Samantha Weiss

My commission expires: 10/20/08

Seal:



ists at Boeing Hit the Picket Lines

pany to meet our members' demands."

The Wall Street Journal reported Saturday that Boeing Commercial Airplanes President Scott Carson wrote in an e-mail to employees that the company was "deeply disappointed" that the two sides had been unable to reach an agreement. "Over the past two days, Boeing, the union and the federal mediator worked hard in pursuing good-faith explorations of options that could lead to an agreement. Unfortunately the differences were too great to close," Carson was quoted as saying.

Boeing's last contract proposal included a pay raise of 11 percent over the life of the contract and increased pension benefits. Under the proposed contract, the average union member would earn roughly \$65,000 a year

before overtime that averages \$10,000 a year or more.

The union was asking for pay raises of at least 13 percent, a larger pension amount and for workers to not have to pay more for health care.

Some Wall Street analysts said Friday they expected a strike because machinists are in a strong negotiating position due to delivery delays for the 787 Dreamliner.

"Any strike will be short-lived, given Boeing's desperate need not to see the 787 slip even further," Peter Arment of American Technology Research said. The strike is also likely to take a large bite from Boeing's top line, costing the company more than \$100 million a day in lost sales.

Boeing shares slipped 14 cents on Friday to close at \$62.89.



CLINT KARLSEN/THE ASSOCIATED PRESS

Boeing Co. machinists hit picket lines on Saturday, shortly after their union announced a strike when talks with the company and a federal mediator failed to produce an agreement.

PUBLIC NOTICE

NOTICE OF AVAILABILITY ENVIRONMENTAL ASSESSMENT OF PROPOSED ACTIONS BY ARMY AND AIR FORCE EXCHANGE SERVICE AT KIRTLAND AIR FORCE BASE, NM

The Army and Air Force Exchange Service (AAFES), in cooperation with the Air Force, has proposed a Finding of No Significant Impact (FONSI) based upon an Environmental Assessment (EA) concerning the construction of a new 4,940-square-foot shoppette/gas station facility on a 3.0 acre parcel at Kirtland Air Force Base (Kirtland AFB) in Albuquerque, NM. The EA evaluates the potential impacts on environmental and human resources that would result from the proposed construction at Kirtland AFB.

The EA and draft Finding of No Significant Impact (FONSI) are available for public review at Central New Mexico Community College Montoya Campus Library, 4700 Morris NE; Kirtland Air Force Base Library, Building 20204; and on-line at <http://www.kirtland.af.mil/> For additional information or to make comments, contact: National Environmental Policy Act Program Manager, 377 MSG/CEANQ, 2050 Wyoming Blvd SE, Kirtland AFB, NM 87117-5270 or NEPA@kirtland.af.mil Comments are due by October 7, 2008.

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Appendix E
Finding of No Significant Impact
(FONSI)

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FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment for the Construction and Operation of the Westside Shoppette/Gas Station at Kirtland Air Force Base, Albuquerque, Bernalillo County, New Mexico

Pursuant to the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-190, 42 United States Code §4321 et. seq.); the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 Code of Federal Regulations [CFR] §§1500-1508); and the Department of the Air Force Environmental Impact Analysis Process (EIAP; Air Force Instruction 32-7061), the United States Air Force prepared an Environmental Assessment (EA) analyzing the potential impacts of the construction and operation of a shoppette/gas station. The EA is incorporated by reference and this Finding of No Significant Impact (FONSI) summarizes the results of that evaluation.

Purpose and Need for the Proposed Action

The Army and Air Force Exchange Service (AAFES) proposes to construct a shoppette/gas station at Kirtland Air Force Base (Kirtland AFB) in Albuquerque, Bernalillo County, New Mexico. The purpose of the action is to better serve the needs of the military community through the improvement of shopping and other services by replacing the existing facility. A new shoppette/gas station would improve upon the existing infrastructure while also increasing services to customers. Further, Base personnel would benefit from the additional contribution to the Base's Morale, Welfare, and Recreation (MWR) program budget from the increased AAFES revenues.

The need for this action is to provide consolidated, centrally located facilities on Kirtland AFB where authorized customers can obtain multiple services at a single west-side location. This would reduce the need to travel off-Base and allow customers to make a single stop for multiple services on the west side of the Installation. In addition, building improvements would increase energy efficiency and reduce overall operational costs.

Description of Proposed Action And Alternative

Proposed Action

AAFES proposes to construct a new 4,940-square-foot shoppette/gas station facility on a 3-acre undeveloped site located on the northeast corner of the Truman Street and Randolph Avenue intersection.

Construction would consist of a reinforced concrete slab/foundation with steel or concrete framing, including complete mechanical, electrical, and life/safety systems. The proposed facility would be designed in accordance with Leadership in Energy and Environmental Design (LEED)-New Construction (NC) standards; however, AAFES does not intend to pursue certification for this facility. The proposed facilities would connect to existing utility services and communications systems and would provide for pavement, walks, curbs, gutters, storm drainage, retention walls, and other site improvements, as necessary. These collocated facilities would include retail gasoline sales through the installation of two 12,000-gallon vaulted tanks; four multi-product dispensers with eight pumps; a canopy roofing system; and 32 parking spaces for use by authorized patrons. New construction would be in accordance with all applicable

Department of Defense Unified Facilities Criteria (UFC) provisions. Construction is expected to last approximately eight months.

No-Action Alternative

Under the No Action Alternative, AAFES would not construct the new shoppette/gas station facility. As a result, Kirtland AFB would continue to use the existing AAFES facility, which is located on Aberdeen Avenue between Carlisle and Truman Streets. Use of this facility would result in the continued provision of inadequate services for authorized personnel within outdated facilities that have exceeded their useful life. This facility contains two gasoline pumps (four dispensers) and 10 parking spaces and a small (2,476-square-foot) retail facility. Further, Base personnel would not benefit from the expanded customer services and the additional revenue provided from these services to the Base's MWR program budget.

Anticipated Environmental Consequences

Proposed Action

The potential consequences associated with this action are not significant in nature. The Proposed Action would have negligible impacts on topography, geology, and soils; air quality; and biological resources. The Proposed Action would not be expected to generate any hazardous materials or wastes and the action would not disproportionately affect children, minorities, or low-income populations. Potential consequences to land use, airspace, aircraft operations, climate, noise, cultural resources, and utilities and infrastructure were not evaluated in detail because there would be no impacts. Impacts to other resources are summarized below.

Traffic. Construction activities would result in a slight increase to traffic volume in the project area due to on-road use by construction equipment, construction workforce vehicles, and vehicles delivering construction materials. To minimize these impacts, the contractor would provide adequate off-street parking for all construction workers to avoid increased congestion near roadsides, as well as encourage construction workers to carpool to the site.

Because the number of personnel assigned to Kirtland AFB would not be expected to increase, there would be no associated increase in the number of entries and exits to the Base since the facilities would only be utilized by on-Base personnel. However, existing on-Base trips would likely be redistributed over the existing roadway network, increasing the number of trips to this portion of the Base. Project design incorporates two entry and exit points, thereby limiting the traffic on both roadways. Because of the unused capacity on Truman Street, it is estimated that there would be no traffic issues (i.e., flow or safety concerns) that would reduce the level of service of any roadway to an unacceptable standard. Therefore, the proposed construction and operation of this facility would have negligible impacts to traffic at Kirtland AFB.

Visual Resources. During construction, the project site would have little aesthetic appeal. Ground disturbance and construction equipment would be partially visible from the surrounding area. At the completion of construction, the project site would consist of a new building, parking areas, and landscaping. Over the long-term, visual and aesthetic impacts at the project site would be anticipated to be positive with the conversion of a previously disturbed, vacant parcel to a facility consistent with the design standards specified in the *Kirtland Air Force Base Architectural Compatibility Plan*.

Water Resources. No sensitive water features are located in or immediately adjacent to the Preferred Alternative site. During construction activities, the contractor will prepare a Stormwater Pollution Prevention Plan to implement best management practices to prevent the uncontrolled discharge of sediments and pollutants in compliance with the National Pollution Discharge Elimination System Construction General Permit.

Over the long-term, impacts would include the increase in stormwater runoff associated with the increase in impervious surface area and the potential increase of non-point source pollution associated with the facility and/or vehicles. This pollution will be minimized and potentially avoided through adherence to the Kirtland AFB Storm Water Pollution Prevention Plan. Implementation of BMPs and design measures including the placement of culverts, swales, and retention facilities will further limit the potential short-term and long-term adverse impacts to surface water to insignificant adverse effects.

Cumulative Effects. Potential cumulative impacts were evaluated based on the proximity to the project site and similarity of timing of construction activities. Results of this analysis indicate that the proposed Enhanced Use Lease Project has the greatest potential for cumulative impacts with the Proposed Action due to its proximity (less than 1 mile) to the proposed project site. Construction of this project is proposed to occur in several phases over an estimated four-year period with the first phase of this project likely to include land clearing and infrastructure improvements. According to current construction schedules, only Phase I would correspond with AAFES construction activities. Further, due to pending environmental documentation and other potential scheduling issues, it is highly unlikely that any overlap of construction activities would occur.

Based on this determination, coupled with the proposed mitigation measures and adherence to existing Kirtland AFB management plans, it has been determined that cumulative impacts would not result from the implementation of the Proposed Action.

No-Action Alternative

Under this alternative, there would be no near-term changes to current land use, visual resources, air quality, noise, biological resources, traffic, or socioeconomics. In the longer term, however, other development would likely occur and could have similar impacts.

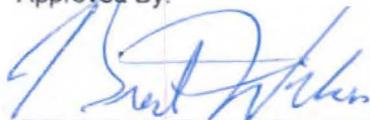
Public Review

A public notice was published in the *Albuquerque Journal* on September 7, 2008, inviting the public to review and comment upon the EA and FONSI. The public comment period closed on October 7, 2008. Two comments were received.

Finding of No Significant Impact

Based upon my review of the facts and analyses contained in the attached EA, I conclude that the Proposed Action would not have a significant environmental impact, either directly or cumulatively in conjunction with other projects at Kirtland AFB. Accordingly, the requirements of NEPA, CEQ regulations, and the Air Force *Environmental Impact Analysis Process* are fulfilled and the preparation of an Environmental Impact Statement is not required.

Approved By:



D. BRENT WILSON, PE
Base Civil Engineer

JAN 08 2009

(Date)