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September 16, 2026

Environmental Protection Agency
Office of Wastewater Management
Greg Schaner, General Attorney
1200 Pennsylvania Avenue
Washington, D.C. 20460

Via [regulations.gov](https://www.regulations.gov): Docket ID: EPA-HQ-OW-2025-0760-0001

RE: National Pollutant Discharge Elimination System (NPDES) 2027 Issuance of General Permit for Stormwater Discharges from Construction Activities

Dear Mr. Greg Schaner,

Santa Fe County (the County) appreciates the opportunity to review and comment on the proposed 2027 Construction General Permit (CGP) and related documents provided on August 3, 2026.

The County has performed a high-level review of the proposed permit and related documentation. Below are comments on the proposed permit, including feedback on specific sections that the EPA has requested comments on.

- **Response to EPA Request for Comment #1: Digital SWPPP submission.** The County supports the proposed changes to the permit requiring the inclusion of an initial SWPPP during the NOI submittal. The implementation of this requirement will support increased transparency for stakeholders and streamline administrative oversight by local governments with limited staff capacity, or where SWPPP compliance is subcontracted to a third-party. Additionally, in areas with limited EPA enforcement, this new measure would ensure integrity among operators by eliminating potential groundbreaking activities prior to the preparation of an adequate SWPPP. The County requests the EPA include the proposed edits to Part 1.4 and does not propose alternative language.
- **Response to EPA Request for Comment #2: Water Quality-based Limitations.** The County requests additional context be added to the revisions included from Part 10.4 into Part 3.1 listing conditions associated with pollutants. The proposed edits include the removal

of “oil and grease” as specifically observable indicators of water quality pollutants. Updated language can be broadly applied to include both oil and grease, however, it would be more effective to include the omitted language as potential sources. This allows the operator to reference permit language when investigating pollutant point sources and implementing correction actions.

Additionally, there is no distinction provided between scum and foam, which may form in rivers from the disturbance of deposited organic materials from naturally occurring vegetation. The county requests supplemental guidance be provided on distinguishing naturally occurring scum and foam from those associated with construction-related pollutants.

- **Response to EPA Request for Comment #3: Part 3 Requirements for Multiple Operator Scenarios.** The County supports including previously proposed language identified during the 2022 CGP Permit term as represented in the request for comment: allow some operators to be relieved of the reporting requirements after they submit an initial quarterly report informing the agency that they are relying on another permitted operator to fulfill the requirements and identify the specific operators’ NPDES ID.

Alternatively, the EPA could require, in multiple operator scenarios, that a turbidity monitoring plan be prepared and included during the NOI period designating which operators are responsible for submitting monitoring data throughout construction. The owner representative delegated to approve SWPPP inspections could sign off on the quarterly turbidity reports completed by the designated to carry out monitoring efforts prior to submission thus eliminating the need for redundant reporting, but insuring oversight of procedural requirements.

- **Response to EPA Request for Comment #4: Alternative Turbidity Monitoring.** The County appreciates the steps taken to clarify ambiguous language present in the 2022 Construction General Permit and efforts to streamline turbidity monitoring processes. The County does not have suggestions on altering the existing turbidity monitoring requirements.

Generally, the County is in support of the additions and clarifications included in the proposed permit.

Respectfully,



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cc:

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