



Alan Varela, Director

February 13, 2024

Jesse Sullivan NMPE
Matrix Design Group, Inc.
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920



Mayor Timothy M. Keller

**Re: Circle K – Eagle Ranch & Irving at 9610 Eagle Ranch Blvd NW
Erosion and Sediment Control Plan
Engineer's Stamp Date – 1/29/2024 (C13E028)**

Ms. Hernandez,

Based upon the information provided in your submittal received on 2/1/2024, the above-referenced ESC Plan is acceptable, but it cannot be approved until the following comments have been addressed.

1. Albuquerque Code § 14-5-2-11(a) requires the property owner's NOI. Based on the lease agreement provided on 12/11/23, it appears that both Circle K Stores Inc. and RS Eagle Ranch LLC. have rights in the property such that both qualify as Owner/Operator. Therefore, each must provide an NOI. The person who signs the certification statement at the end of the NOI must be a "responsible corporate officer" as defined in CGP Appendix G, Part G.11.1. Provide documentation in the form of articles of incorporation, bylaws, or board meeting minutes that the officer signing the NOI satisfies the requirements of the CGP. The officer may delegate his signatory authority to another member of the corporation in accordance with CGP G.11.2 for the purpose of signing the remaining documents in the SWPPP and the required reports.

If you have any questions, contact me at 924-3420 or jhughes@cabq.gov.

Sincerely,

James D. Hughes

James D. Hughes, P.E.
Principal Engineer, Planning Dept.
Development and Review Services