



Alan Varela, Director



Mayor Timothy M. Keller

August 31, 2022

Ryan Morrissey PE  
Burkhardt Engineers and Surveyors, Inc.  
28 North Cherry St.  
Germantown, OH 45327

**Re: Champion Xpress Car Wash – 5307 4<sup>th</sup> St. NW  
Erosion and Sediment Control Plan  
Engineer's Stamp Date 8/23/2022 (F14E036A)**

Dear Mr. Morrissey,

Based upon the information provided in your submittal received on 7/8/22, the above referenced ESC Plan cannot be approved until the following comments are addressed.

1. The EPA documentation, NMR10050R, is a Low Erosivity Waiver (LEW) with start and end dates of 10/4/22 and 4/4/23, respectively. The City of Albuquerque ESC Ordinance requires a separate City ESC permit for projects that use a LEW. BMPs and self-inspections are still required. The City Permit will not be issued until one week before the start date, and it will expire on the end date of the LEW. Why has a LEW been chosen for this project? The LEW has no apparent advantage over an NOI, but the NOI has more flexible start and end dates than the LEW. Either provide an NOI or the completed City ESC Permit form.
2. The ESC Plan can't be approved for Grading or Building Permit until the property owner's NOI (or ESC Permit in case of a LEW) has been reviewed and approved by City Stormwater Quality per Albuquerque Code § 14-5-2-11(a). The property owner of record is Martinez Property Holdings, LLC. Either provide their NOI or the new owner's NOI and a deed recorded in the county records showing the transfer.
3. The SWPPP must include site-specific interim and permanent stabilization per CGP 9.4.1.c.i. The Landscape Plan can be used to satisfy this requirement and should be submitted separate from the ESC Plan with the application to the Stormwater Quality Section of the Planning Department, and it should be included in the SWPPP. Provide a specification on the ESC Plan for any disturbed areas not covered by the Landscape Plan. If the specification isn't capable of satisfying the Final Stabilization Criteria before the end date of the LEW, either change the landscape specification or change the LEW to an NOI.
4. The Limits of Disturbance must be shown around the outer limits of all land disturbing activities, including the south lot. (CGP7.2.4.b.i)
5. Show perimeter BMPs around all areas of land disturbance and show the location of a construction entrance on the ESC Plan.



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If you have any questions, you can contact me at 924-3420 or [jhughes@cabq.gov](mailto:jhughes@cabq.gov).

Sincerely,

*James D. Hughes*

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