



Alan Varela, Director

Mayor Timothy M. Keller

September 4, 2024

December 12, 2024

Len Horan  
Caldon Seeding and Reclamation, LLC  
120 Old Highway 66  
Albuquerque NM 87123

Re: Freddy's at 4315 Wyoming Blvd NE  
Erosion and Sediment Control Plan  
Engineer's Stamp Date: missing (G19E004G)

Dear Mr. Horan,

Based on the information in your submittal, received on 5/23/24 and 12/12/24, the above-referenced ESC Plan can't be approved until the following comments are addressed. Highlighting and red comments were added on the second application. Comment#2 is the only comment addressed in the 2<sup>nd</sup> application.

1. The owner information, "ERC New Mexico, LLC." shown on the NOI, does not agree with the available Bernalillo County records showing "ERC Wymont, LLC" as the property owner. The property owner's NOI is required by City Ordinance § 14-5-2-11, and the name on the submittal documents must match public records exactly. Property rights may have changed hands recently, if so, please provide documentation in the form of a recorded deed or lease. The accurate name and contact information for the entity in control of the property rights is required on the Information Sheet, the NOI, the SWPPP, and the ESC Plan. The information sheet wasn't corrected.
2. The person who signs the certification statement at the end of the NOI must be a "responsible corporate officer" per CGP G.11.1. Provide documentation in the form of the Operating Agreement (AKA Certificate of Formation or Certificate of Organization) showing that the Member signing the NOI satisfies the CGP requirements. The Member may delegate his signatory authority to another member or an employee of the LLC in accordance with CGP G.11.1.2 for the purpose of signing the remaining documents in the SWPPP and the required reports. OK
3. The ESC Plan is blurry and not legible. The sheet size is too small (smaller than 8.5"x11"), and the plan is not drawn to scale. The ESC Plan must be on 22" x 34" sheets per the city drafting standards in DPM Part 4-2(B). Each ESC Plan sheet should have an ESC Plan title block that identifies the sheet number and the total number of sheets in the ESC Plan, for example, "Sheet 1 of 5." Loose, unstamped sheets are not allowed.
4. A legend showing the limits of disturbance and BMPs is missing and is required by the drafting standards and must be shown on the ESC Plan.
5. The Limits of Land-Disturbing Activities are missing from the ESC Plan. You must accurately identify the location of limits of disturbance on the ESC Plan. Be sure to include any offsite construction support activities in the limits.
6. The Construction Exit (CE) isn't allowed at the handicap ramp on Wyoming Blvd. as currently shown on the ESC Plan. A more likely location is at the end of the existing paved driveway onto Wyoming Blvd. Relocate the CE on the ESC Plan and provide dimensions and construction specifications. Make

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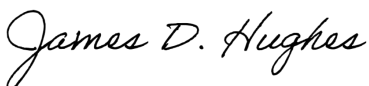
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sure that traffic can't bypass the CE. The location, dimensions, and construction specifications are still missing.

7. This site is part of a "Common Plan of Development or Sale" that exceeds 5 acres, so permit coverage is required even if the site is less than 1 acre and waivers are not available. All parts of this large site must have soil loss calculations in the SWPPP, and the ESC plan must include design calculations and construction specifications for ponds that satisfy the requirements of CGP 2.2.12. stamped by a New Mexico Professional Engineer. The following information shall be shown for each sediment trap on the plans.
  - a. Drainage area
  - b. Storage required with calculations based on the area draining to it.
  - c. Storage provided with dimensioned detail showing contours and volume calculations
  - d. Storage depth below outlet and cleanout elevation.
  - e. Embankment height and elevation (if applicable).
  - f. Rock spillway material specifications dimensions and 100-year design capacity calculations.
  - g. The location of diversion berms along the downstream edges of the site to prevent stormwater from bypassing the ponds with construction specifications and details.
8. Describe the nature and extent of construction activities (CGP 7.2.2.). Include the size of the property and the size of the area of land-disturbing activities onsite and offsite. Describe construction support activities and show the staging area on the ESC Plan. Describe the construction sequence, with the placement and removal of the required stormwater controls being the first and last items of construction.
9. Construction details and specifications are missing from the ESC Plan for most of the stormwater controls, including but not limited to the construction exit, diversion berms, sediment traps, washout, and waste containers.
10. The SWPPP must include site-specific interim and permanent stabilization per CGP 9.6.1.c.i. The Landscape Plan can satisfy this requirement. It should be stamped and signed by a registered professional landscape architect, submitted separately from the ESC Plan with the application to the Stormwater Quality Section of the Planning Department, and included in the SWPPP. Provide a specification on the ESC Plan for any disturbed areas not covered by the Landscape Plan.
11. The ESC Plan isn't stamped by a professional as required by CGP 9.6.1.c.iii. Update the engineer's stamp date each time the ESC Plan is changed. Robert Fierro PE is identified in the SWPPP as the professional in charge of the SWPPP preparation, but his stamp, signature, and date are missing from all ESC sheets.
12. The Silt Fence (SF) locations are inaccurate, encroaching into the existing driveways on the north and west sides, and SF isn't needed along the existing wall on the south side of the site.

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

Sincerely,

A handwritten signature in cursive script that reads "James D. Hughes".

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