



Alan Varela, Director

Mayor Timothy M. Keller

October 16, 2024

Colleen Ruiz, PE
Stantec
733 Marquette Ave, Suite 1000
Minneapolis MN 55402

**Re: Westpointe Data Center at 8401 Daytona Rd. NW
Erosion and Sediment Control Plan
Engineer's Stamp Date – 10/2/24 (K09E026D)**

Ms. Ruiz,

Based on the information in your submittal, received on 10/8/24, the above-referenced ESC Plan cannot be approved until the following comments are addressed.

1. The owner information, "Oppidan Holdings, LLC." shown on the Information Sheet, and the Operator Name, "James Galliera," shown on NMR1006JH, and the Developer, CLOP Albuquerque NM LLC," shown on the IIA for the public improvements, all disagree with the available Bernalillo County records which show "98th & I-40 Land, LLC" owns the property. 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 controlling the property rights is required on the Information Sheet, the Notice of Intent (NOI) filed with the EPA, the SWPPP, and the ESC Plan per city ordinance § 14-5-2-11. Include this information with the resubmittal. If more than one entity is in control of the property and the Work Order, then you will need separate NOIs, and each entity's area of control must be specified on the ESC Plan.
2. The person who signs the certification statement at the end of the NOI must be a "responsible corporate officer" as defined at CGP G.11.1. Provide the Operating Agreement (AKA Certificate of Formation or Certificate of Organization) for each LLC as proof the officer signing the NOI satisfies the CGP's requirements. The officer may delegate his signatory authority to another member of the corporation per CGP G.11.1.2 to sign the remaining documents in the SWPPP and the required reports.
3. The SWPPP must include site-specific interim and permanent stabilization construction specifications per CGP 9.6.1.c.i. The Landscape Plan and Work Order sheets 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 they should be included in the SWPPP. Provide a specification on the ESC Plan for any disturbed areas not covered by the Landscape Plan or Work Order sheets.
4. The heavy hatch pattern still obscures contours and should be moved to a separate sheet from the rest of the information that is required on the ESC Plan. The hatch pattern isn't identified in the legend, but it appears to be some kind of final cover. Please consider deleting the hatch if final cover is per an officially approved "Landscape Plan" as referenced by Erosion Control note #10 and Grading note #5 on sheet ESC-002. I can't find the requested temporary diversion berms on the ESC Plan, but they may be obscured by the heavy hatch pattern.
5. Temporary diversion berms or swales must be indicated on the ESC Plan as the first items of construction along the southwest and northeast (downhill) edges of the site to direct the stormwater into the sediment basins. A symbol should be added to the legend, locations shown on the plan view, a detail added to the detail sheet, and a BMP Maintenance note added to sheet ESC-02. Just showing swales with the final contours doesn't get temporary controls constructed as first items.



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6. The table of sediment basin calculations and dimensions is too small. The Minimum lettering size is 0.1". Please make it clear that these are the first items of construction and identify a schedule for removal of the BMPs at after construction and stabilization are complete. Identify which sediment basins will be removed, modified, and/or remain in place as post construction SWQ ponds.
7. Please change the title of sheet ESC-003 from "Post Construction" to "Temporary ESC" (during construction) Plan.
8. Update the engineer's signature & date on all sheets each time the plan changes.

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