



Alan Varela, Director

August 9, 2024



Mayor Timothy M. Keller

Farman Shimohammadi, P.E.  
Site Design Collaborative  
245 E Third Street  
Long Beach, CA 90802

**RE: Caliber Collision – 250 98th ST NW  
Erosion and Sediment Control Plan (Sheets 9, 15, 24, & 25 of 25)  
Engineer's Stamp Date 7/31/24 (K09E048D)**

Dear Mr. Shimohammadi:

Based on the information in your 2<sup>nd</sup> submittal received on 8/2/24, the ESC plan cannot be approved until the following comments have been addressed.

1. The Operator Name, "RS Bluewater, LLC," as shown on the NOI with NPDES ID # NMR10067L (provided with the first submittal), does not agree with the available Bernalillo County records, which show "Cross Development CC Albuquerque, LLC" is the property owner. The property owner's NOI is required by City Ordinance § 14-5-2-11 and was missing from the resubmittal.
2. The person who signs the certification statement at the end of the NOI must be a "responsible corporate officer" per Construction General Permit (CGP) G.11.1. Provide documentation in the form of the Operating Agreement (AKA Certificate of Formation or Certificate of Organization) showing that the officer signing the NOI satisfies the CGP requirements. The "Resolution" provided with the 2<sup>nd</sup> submittal identifies "Cross Heritage RMS, LLC" as a "Member" and "Cross Heritage Partners, LLC" as the "Manager" and identifies "Joe Dell" as Executive Vice President of Cross the members of "Cross Development CC Albuquerque, LLC." So, Joe Dell should be the person who signs the certification statement on the NOI, and his contact information should be included under the Property Owner's contact Information on the city's SWQ application, of Megan Vieren. The officer may delegate his signatory authority to another member of the corporation in accordance with CGP G.11.1.2 for the purpose of signing the remaining documents in the SWPPP and the required reports.
3. This site is a 2.5-acre part of a 10.5-acre "Common Plan of Development or Sale" (CPD) covered by permit NMR10050Y, owner/operator "RS Bluewater, LLC", that commenced 2 years ago. The ownership of this 2.5-acre portion of the site was transferred to "Cross Development CC Albuquerque, LLC" when the special warrant deed was recorded on April 3, 2024. The new owner failed to file its NOI by the deadline in Violation of CGP 1.4.3. The new owner must provide Site-specific interim and permanent stabilization, managerial and structural solids, erosion and sediment control best management practices (BMPs), and/or other controls to prevent, to the maximum extent practical, an increase in

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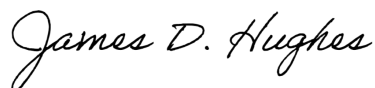
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the sediment yield of natural undeveloped conditions per CGP 9.6.1.c.i. Include the soil loss calculations with your resubmittal.

4. The existing temporary sediment trap located on this site, Tract F2, serves both Tract F1 and F2. Provide design calculations and construction specifications on this plan to ensure uninterrupted sediment basin protection for both tracts in accordance with CGP 2.2.12.c & 2.2.12.d until the entire area satisfies the Final Stabilization Criteria of CGP 2.2.14.c.
5. Include a list of all other operators who will be engaged in construction activities at the site and the areas of the site over which each operator has control per CGP 7.2.1
6. The previous property owner didn't provide ground cover that satisfies the Final Stabilization Criteria at CGP 2.2.14.c for this 2.5-acre site; therefore, it is the new property owner's responsibility. The SWPPP must include site-specific interim and permanent stabilization per CGP 9.6.1.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 they should be included in the SWPPP. Provide a specification on the ESC Plan for any disturbed areas not covered by the Landscape Plan.
7. Include the location of earth-disturbing activities, past, present, and future for the entire 2.5-acre site, except the portion already paved, in the limits of disturbance, and include the location of any off-site construction support activities per CGP 7.2.4B.
8. Add a site-specific schedule, sequence per CGP 7.2.6.iv, of stormwater control installation/implementation, including the existing temporary sediment trap that serves both Tract F1 and F2. Include the removal of temporary controls as necessary to comply with the "Conditions for Terminating CGP Coverage" CGP 8.2.
9. Update the engineer's stamp date each time the plan changes.

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

Sincerely,  
James D. Hughes, P.E., CPESC

A handwritten signature in black ink that reads "James D. Hughes".

Principal Engineer, Planning Dept.  
Development and Review Services