



Alan Varela, Director

Mayor Timothy M. Keller

March 24, 2026

James Tolman, CPESC
Inspections Plus Inc.
504 El Paraíso Rd. NE Suite B
Albuquerque, NM 87113-1590

**Re: Albuquerque Collegiate Charter School at 9001 Sunset Gardens RD SW
Erosion and Sediment Control Plan – L09E032 – (SWQ-2026-00023)
Engineer’s Stamp Date: 3/16/23**

Mr. Tolman,

Based on the information in your submittal received on 3/16/26, the ESC Plan cannot be approved until the following comments are addressed.

1. The NOI has been certified by Paul Aguilar as the “Owner Representative” of Albuquerque Collegiate, Inc. rather than a "responsible corporate officer" as required by the EPA in CGP G.11.1. Provide documentation in the form of the articles of incorporation, bylaws, or board meeting minutes showing 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. However, the officer may not delegate his signatory authority to a third party, such as a contractor, consultant, or construction management company, according to page 15 of the attached “Frequent Questions.” If Paul Aguilar is considered a third party and has operational control per CGP part 1.1.1, then he must file a separate NOI. Please provide a copy of Mr. Aguilar’s authorization to represent Albuquerque Collegiate, Inc. to clarify his area of operational control.
2. Include contact information for the property owners identified in the NOI, also in ABQ-PLAN and on the SWQ Information sheet.
3. The limits of disturbance and BMPs must include an additional 0.8 acres of the frontage improvements. The area of disturbance on the NOI and on sheets 1 and 4 must include the additional area, and the silt fence should be moved to the limits.
4. The hydrology calculations only include onsite areas. The temporary sediment traps (ST) must be sized for the entire area draining to them, including upstream offsite areas along the perimeter and west of this site. Identify the off-site upstream watersheds on the ESC Plan map and provide volumes in the STs.
5. The ponds along 90th St. appear to be designed to have an embankment several feet higher than the existing pavement, though there isn’t enough detail on the conceptual G&D Plan to clearly identify the elevations. The design and construction specifications required on the ESC plan per the city’s draft SB & ST detail are missing and must be included on a revised ESC Plan resubmitted in ABQ-Plan. The Temporary ponds should be low enough to receive drainage from the adjacent off-site land disturbing activities, and embankments won’t be allowed in urban areas where dam failure could result in property damage or endanger public safety.
6. Phased construction is identified on some buildings on the ESC Plan, but the limits of each phase and associated BMPs are not. Add phasing limits and BMPs for each phase, along with stabilization specifications for areas that will remain inactive for a period. Provide a narrative description of the BMPS

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and stabilization during each phase, including removal of BMPs at the end of each phase and filing the Notice of Termination (NOT).

7. Provide a specification on the ESC Plan for a “Landscape Buffer Swale” between the sidewalk and curb, per “COA DWG 2414.” The stabilization specifications are also missing for the large green area that appears to be ball fields on the north side of the site.
8. The notes on Sheet 4 are misleading and need to be rephrased. The Property Owner is also an operator. Generally, everyone who files an NOI is considered an operator and must sign their SWPPP and reports, including Paul Aguilar if he acts as a third party. Be sure to note every operator. The first bullet doesn’t seem to consider inactivity during delayed phases. The second bullet omits the sediment traps and mentions cutback curbs, which are not being used. Silt fences appear to be used only for dust control, so they should be labeled DCSF to distinguish them from stormwater silt fences (SWSF). If the retention ponds and diversion channels in the fifth bullet are temporary controls, they should be listed as the first items of construction; however, if these are post-construction stormwater controls, they should be labeled accordingly, and they cannot replace the temporary controls until after construction and stabilization are complete. Slopes greater or less than 5% have nothing to do with stabilization mentioned in the NOTE. “Permanent cessation of construction activities” should be rephrased as “construction and stabilization completion” to better align with CGP Part 8, “How to Terminate Coverage.”
9. Hatching that obscures existing contours should be moved to a separate Site Plan sheet that clearly shows all hatch patterns and other improvements. The existing and proposed grades must be displayed on the ESC Plan with enough detail for construction and at a larger scale for clarity.
10. Most onsite drainage will flow out of the proposed driveways on 90th St. unless a temporary diversion channel (DC) directs the runoff into the ponds. A DC is sufficient along the south side instead of STs, as the site does not drain south.
11. Existing and proposed utilities should also be shown on the ESC Plan, especially where they might conflict with the temporary sediment traps.
12. Update the engineers' stamp date on all sheets whenever a change is made to any sheet.

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

Sincerely,

James D. Hughes

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



planning

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