

July 5, 2022

City of Albuquerque – Planning Department
James D Hughes
600 2nd St. NW
Albuquerque NM, 87102

RE: Lovelace Heights Addition – 2121 Yale Blvd SE
Erosion and Sediment Control Plan
Engineer's Stamp Date (missing) (M15E021)

Please find below our comment responses addressing the ESC Plan first review. This letter is to address comments we received from you on May 24, 2022. To facilitate your review, we have included the original conditions in *italicized* font and have provided our responses in **bold blue**.

1. The ESC Plan can't be approved for Grading, Building Permit, or Work Order until the property owner's NOI has been reviewed and approved by City Stormwater Quality per Albuquerque Code § 14-5-2-11(a)
[**Response: Acknowledged, NOI has been submitted to and approved by EPA.**](https://codelibrary.amlegal.com/codes/albuquerque/latest/albuquerque_nm/0-0-0-19897#:~:text=the%20property%20owner%20is%20to%20provide%20the%20Constructi on%20General%20Permit%20(CGP)%20Electronic%20Notice%20of%20Intent%20(eN OI)%20documentation%20that%20contains%20the%20property%20owner%20name%2 0and%20contact%20information%20a%20minimum%20of%2014%20days%20prior%20 to%20earth%20disturbance%20and%20prior%20to%20obtaining%20Work%20Order%2 0or%20Building%20Permit%20approval. The NOI must be in the SWPPP and available onsite (CGP7.3). Provide EPAs NPDES ID.</div><div data-bbox=)

2. Revise the SWMP to satisfy the EPA's Construction General Permit requirements in Part 7 and the State of New Mexico's special requirements in Part 9. The EPA requires a SWPPP, not a SWMP. The SWPPP is required prior to the operator's certification of the NOI. The certification statement at the end of the NOI must be signed by a responsible corporate officer per CGP Appendix G11.1. The certification statement says "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Response: Revised to SWPPP, certification statement included. New Mexico section addressed.

3. The Operator's certification statement on page 4 of the SWMP must agree with the required language in CGP Appendix G11.4 (see above), and it too must be signed by a responsible corporate officer per CGP Appendix G11.1 prior to commencement of construction activities.

Response: Revised as requested.

4. The professional certification is missing from the plan that was submitted. The ESC Plan must be certified by a New Mexico Registered Professional Engineer (PE) or a Certified Professional in Erosion and Sediment Control (CPESC). Update the engineer's stamp date each time the plan is changed.

Response: Stamp added.



5. Describe both the "Common Plan of Development or Sale" and this "Part" of it in the Narrative Site Description in the SWPPP (CGP 7.2.3) including: a) the size of the platted property, b) the size of the total disturbed area of the Common Plan including the future development of the lots, c) the size of this part of the Common Plan, and d) the size of the onsite undisturbed property. Also include a description of the Describe the three phases shown on the ESC Plan.

Response: Requested information added to SWPPP Section 2.3.

6. A Soil loss model is required since this Common Plan is larger than 5 acres (CGP 9.6.1.c.i).

Response: Soil Loss Model added to SWPPP Section 4.

7. Correct on-site waste management on page 13 of the SWMP, deleting the use of fences, and requiring the containers to be covered per CGP 2.2.3.e.

Response: Revised with updated SWPPP.

8. The SWPPP must include site-specific interim and permanent stabilization per CGP 9.4.1.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, especially the areas labeled TS on sheets 6.5 and 6.6.

Response: Acknowledged, Conceptual Landscape Plan included separately to show permanent landscaping. Additional information added to TS labels, see Erosion Control Legend sheets C6.5 and C6.6.

9. The notes on the construction details on sheets 6.7 and 6.8 are blurred, are not legible, and must be replaced.

Response: Revised as requested.

Sincerely,
GALLOWAY

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