



Alan Varela, Director

Mayor Timothy M. Keller

May 24, 2022

Doug Jones  
Galloway & Company Inc.  
5500 Greenwood Plaza Blvd  
Suite 200  
Greenwood Village, CO 80111

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

Dear Mr. Jones,

Based upon the information provided in your submittal received 5/17/22, the above-referenced ESC Plan can't be approved for Grading or Work Order until the following comments are addressed.

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)  
[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](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.
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.**"

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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.
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.
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.
6. A Soil loss model is required since this Common Plan is larger than 5 acres (CGP 9.6.1.c.i).
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.
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.
9. The notes on the construction details on sheets 6.7 and 6.8 are blurred, are not legible, and must be replaced.

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

Sincerely,

*James D. Hughes*

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