

SECTION 1014

SENSITIVE LANDS PRESERVATION AND CONSTRUCTION MITIGATION

1014.1 GENERAL: The procedures under this section include, but are not limited to, preservation of sensitive lands and mitigating the impact of grading and construction to ensure the preservation and integrity of sensitive lands and public open space.

1014.1.2 APPLICABLE STANDARDS & REFERENCES

1014.1.2.1 ABC Comprehensive Plan, Chapter 11

1014.1.2.2 City of Albuquerque Integrated Development Ordinance (IDO), most recent edition

1014.1.2.3 City of Albuquerque Development Process Manual (DPM)

1014.1.2.4 City of Albuquerque Standard Specifications Section 000 General Conditions (6.11.3- no trespassing on public property)

Sensitive Lands Analysis Form

1014.1.2 DEFINITIONS AND ABBREVIATIONS

Sensitive Lands – Reference most recent edition of the City of Albuquerque Integrated Development Ordinance (abbreviated as IDO in this document) for list and definitions of qualifying Sensitive Lands features. City of Albuquerque Planning Department is responsible for directing preservation of Sensitive Lands.

Major Public Open Space – Abbreviated as MPOS in this document. Reference most recent edition of the IDO and AGIS for maps and definitions. City of Albuquerque Open Space Division of the Parks and Recreation Department is responsible for directing preservation of Major Public Open Space. Where the Major Public Open Space is Petroglyph National Monument, the National Park Service is responsible to direct preservation of the Monument boundary.

Grading Plan – a construction drawing that shows the proposed grading of a site. It establishes the grading relationship to abutting properties.

Buffer Protection Zone – The area in which construction activities or impacts should **not** occur. Table in 3.7.10 identifies distance recommended to protect the Sensitive Land feature or MPOS. When the Buffer Protection Zone is along the MPOS edge, any plantings or development must follow the site plan and associated grading plan. When the plat or site plan identifies a private buffer zone as the edge to the MPOS, i.e., 45-foot buffer, that private area is part of the Buffer Protection Zone.

Sensitive Lands Preservation Plan: A Site Plan Sheet prepared during the plat or site plan approval process that identifies the areas to be preserved, the type of fencing to be used to preserve the sensitive area, the location of the fencing in relation to the buffer protections zone, and any efforts to coordinate with the Soil Erosion Control Plan. This sheet and/or added notes to the effect should be written on the conceptual or final grading plan. Any plat or site plan with

Sensitive Lands will note the maintenance responsibilities for those preserved lands.

Sensitive Lands As-Built Certificate – A letter from the Developers' Civil Engineer indicating how sensitive lands have been protected or restored, as necessary. This certificate must be reviewed and accepted by the Parks Open Space Division and the Planning Department.

Erosion and Sediment Control (ESC) Plan – A plan that includes all of the elements required on the Storm Water Pollution Prevention Plan (SWPPP) as identified in the Environmental Protection Agency's (EPA) Construction General Permit (CGP) and the City of Albuquerque's ESC Plan Checklist as required by City Ordinance § 14-5-2-11.

1014.1.3 SUBMITTALS

1014.1.3 The Sensitive Lands Preservation Plan and notes on the grading plan, developed during the Site Plan or Plat approval process, will be used to identify the Buffer Protection Zone and fencing type to be used. The fencing shall be an Infrastructure List item.

1014.1.4. The CONTRACTOR shall submit a sample of buffer area protection fencing or product information.

1014.1.5 The CONTRACTOR shall submit documentation, including video, with some photo images, of existing Sensitive Lands Features, the MPOS Edge, and Buffer Zone conditions, as applicable. Documentation establishes pre-construction conditions that otherwise might be misconstrued as damage caused by construction activities.

1014.1.6 The CONTRACTOR shall follow the Sensitive Lands Preservation Plan and corresponding notes on the grading plan outlining the fencing, signage locations, and other instructions to preserve the Sensitive Lands.

1014.2 PRODUCTS

1014.2.1 FENCING

The fencing shall be fixed in position and be one of the types listed below unless otherwise approved by the City Engineer. Previously used materials may be used when approved by the LANDSCAPE ARCHITECT or the ENGINEER.

- a. Temporary chain link construction fence.
- b. Plastic construction fencing constructed of high-density extruded and stretched polyethylene fabric with 2-inch (50-mm) maximum opening in pattern and supported by tubular or T-shape galvanized-steel posts spaced not more than 8 feet (2.4 m) apart. Color: high-visibility orange, non-fading. Height: 6 feet. This fencing may not be used in areas where wildlife are present and would be harmed by the fencing.

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- c. Fencing may incorporate best management practices (BMPs) identified in the project SWPPP. A silt fence should have fabric buried with the stakes.
- d. The fencing is required to be installed prior to grubbing and to be maintained throughout the grading and construction phases. Periodic inspection of the installation must be done to ensure the fencing protects the sensitive lands throughout the duration of the project.

1014.2.2 SIGNAGE

Buffer Protection Zone Signage shall be shop-fabricated, rigid plastic or metal sheet with attachment holes pre-punched and reinforced; **“Protection of Sensitive Lands and Open Space Zone. Do Not Enter”** legibly printed with non-fading lettering. Signs shall be a minimum size of 10” x 12”.

1014.3 EXECUTION

1014.3.1 PRIOR APPROVALS

1014.3.1.1 The grading plan will not receive final approval until the Parks Department Open Space Division and the Planning Department have approved the grading plan, the fencing plan, and the Sensitive Lands Preservation Plan described above.

1014.3.1.2 The Soil Erosion and Control Plan shall be coordinated with the buffer protection zone for MPOS edges.

1014.4.1 NOTIFICATIONS

1014.3.1.1 The CONTRACTOR shall provide a proposed construction notification to the MPOS Owner by email or certified mail two week **prior** to any grubbing or grading of the site.

- a. City of Albuquerque Open Space Superintendent – openspaceplanning@cabq.gov
- b. Petroglyph National Monument Superintendent – petr_interpretation@nps.gov
petr_superintendent@nps.gov

The proposed construction report shall contain the following:

- a. The name of the project
- b. Proposed dates of construction
- c. Contact information for the construction manager responsible for mitigation

1014.3.1.2 PRE-GRADING MEETING

The CONTRACTOR, including staff responsible for mitigation management, and Parks Open Space Division or

Planning representatives will perform a pre-grading meeting, preferably on site, to discuss and agree to the following items. The discussion of these topics may take place at a pre-construction meeting required for other purpose or may be held in addition to other required pre-construction meetings.

- a. Access gate locations
- b. Work hours
- c. Debris management protocols
- d. Noise, light and vibration impacts
- e. Project timelines
- f. Fire prevention
- g. Locations of buffer protection fencing and signage

Any access points, routes and access to and across the buffer protection zone shall be mutually agreed upon prior to grading and construction-related activities.

1014.3.3 BUFFER PROTECTION ZONES

1014.3.3.1 The approved fencing shall be installed along edges of all Buffer Protection Zones in a manner that will prevent people and equipment from easily entering the protected area except by access gates. Any fence or wall that will be a permanent structure to protect the sensitive land feature may be erected early to function as the Buffer Protection Zone delineation.

1014.3.3.2 Buffer Protection Zone signage shall be installed in visibly prominent locations along the entire length of the Buffer Protection Zone, and as approved by Parks Open Space Division and/or Planning representatives, the LANDSCAPE ARCHITECT, or the ENGINEER. Signage shall be maintained in good condition until construction operations are complete.

1014.3.3.3 The project Stormwater Pollution Prevention Plan (SWPPP) shall not infringe upon Buffer Protection Zone boundaries.

1014.3.3.4 Reference the DPM Part 6-4(D) for grading restrictions.

1014.3.3.5 The following actions are prohibited within Buffer Protection Zones:

- a. Vehicular traffic or parking.
- b. Storage of construction materials, debris, or excavated material.
- c. Dumping of refuse or chemicals, or liquids.
- d. Puddling or continuous running water.
- e. Diesel or gasoline equipment running adjacent to protection zone.
- f. Foot traffic.
- g. Erection of sheds or structures.
- h. Mixing or washing of concrete or any other cementitious products.

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1014.3.4 INSPECTIONS

1014.3.4.1 Parks Open Space Division and/or Planning representatives may inspect compliance with Sensitive Lands and MPOS protection measures at their discretion.

1014.3.4.2 The fencing shall be in place and maintained during the entire construction phase, i.e., until site roads are constructed and are the only paths used by any construction vehicles to access and circulate on or near the property.

1014.3.5 FINAL CLEAN UP

1014.3.5.1 The Buffer Protection Zone shall be cleaned of all rubbish, excess materials, and all parts of the work shall be left in an acceptable condition. Then a Sensitive Lands As-Built Certificate should be prepared and submitted to Parks Open Space Division and Planning for acceptance.

1014.3.5.2 A post-construction meeting/inspection shall be held with Parks Open Space Division and/or Planning Department to verify the Buffer Protection Zone, Sensitive Land feature, or MPOS has been adequately protected during construction. The financial guarantee may be released if adequate protection occurred.

1014.3.5.3 If it is determined that damage has occurred, any damaged areas noted shall be restored per the following section. The financial guarantee will not be released until 'Restoration' has occurred as outlined below.

1014.3.6 RESTORATION

1014.3.6.1 In the event that areas within the Buffer Protection Zone are damaged, including the sensitive land feature, the following requirements shall apply:

- a. Areas that are damaged or altered shall be restored through replacement of moveable items of value to the site character and condition to the original location, angle, and surface exposure.
- b. Regrading shall be completed as needed to restore the original condition.
- c. Pre-construction documentation of existing conditions (see submittals) shall be used to determine vegetative coverage and species to be restored, as well as adjacent undamaged reference landscape as needed.
- d. Reference City of Albuquerque Standard Specification 1013 for acceptable revegetation methods.
- e. Before beginning restoration operations adjacent to a MPOS, the CONTRACTOR shall submit a restoration plan to the City of Albuquerque Open Space Division and/or Planning Department for approval.
- f. Refer to DPM section 6-4(D) for additional restoration requirements.

1014.3.6.2 All damage shall be restored to the satisfaction of City of Albuquerque Open Space Division and Planning Department prior to the City's final acceptance of the Work

Order. The contractor/developer shall provide a Sensitive Lands As-Built Certificate to the City of Albuquerque Open Space Division (Planning). The Open Space Division will determine acceptance of the Sensitive Lands As-Built Certificate and communicate that acceptance to Hydrology. Hydrology will only release its financial guarantee if Hydrology has received the 'accepted' As-Built Certificate. Furthermore, no certificate of occupancy can be issued unless the Sensitive Lands As-Built Certificate has been accepted by the Open Space Division and Planning Department.

1014.3.7.10 BUFFER PROTECTION ZONES

Sensitive Land Feature	Buffer Distance Requirement
Arroyo	20 feet from the 100-year water elevation
Irrigation facility or Acequia	5-foot setback from toe of slope. No structures, fence, or vegetation removal within setback (reference IDO)
Mature Trees	A circle with a minimum radius of 1 foot for every 1 inch of trunk diameter, measured at 4.5 feet above ground
Riparian Area	20 feet
Rock Outcroppings	20 feet; create permanent outcrop tract
Steep Slopes and Escarpment	20 feet
Wetlands less than 1/3 acre in size	20 feet
Wetlands greater than 1/3 acre in size	300 feet
MPOS Edge (see also DPM 6-4(D))	20 feet away for areas with 9% or greater slopes. 5 feet into the private property, from the MPOS property line
MPOS 45-foot Buffer	At the buffer line

The buffer distance shall be measured from the outer edge of the Sensitive Lands Features and in a straight line, without accounting for topography.