



City of Vision

Department of Public Infrastructure

## NOTICE

TO: Building Permit Applicants:

RE: GRADING AND DRAINAGE REQUIREMENTS

### GRADING PERMITS:

Grading permits are required prior to any construction or development related to grading. This includes clearing and grubbing.

For residential, commercial and or other structural construction, the permit will be issued and administered concurrently with the building permit.

When grading is the only construction (NO STRUCTURES), an independent grading permit is required.

### GRADING A SITE PRIOR TO OBTAINING A PERMIT IS ILEGAL AND IS SUBJECT TO ENFORCEMENT ACTION.

In addition, certain sites are subject to Army Corps of Engineers 404 permit requirements. Attached is a letter from the Corps of Engineers explaining their requirements.

### Grading Plans:

An engineered grading and drainage plan, prepared by a New Mexico licensed engineer, is required when any one of the following conditions applies:

1. Grading will disturb an area greater than one acre.
2. Grading will involve the excavation, removal or placement of over 500 cubic yards of material.
3. Grading will modify the public drainage system. defined as "The path the storm run-off or other flow will follow from the furthest upstream parcels of land to city limits."
4. A building pad or first floor elevation (including basements) will be less than one foot above the adjacent to street or road.

Grading plans are required to be submitted with the building (or grading) permit application.

### Enforcement:

Grading will be inspected prior to footing construction and again prior to Certificate of Occupancy being issued. A Certificate of Occupancy will not be issued until all requirements of the grading and drainage plan have been implemented.



DEPARTMENT OF THE ARMY  
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS  
4101 JEFFERSON PLAZA NE  
ALBUQUERQUE, NEW MEXICO 87109-3435  
FAX (505) 342-3498

December 12, 2001

REPLY TO  
ATTENTION OF:

Operations Division  
Regulatory Branch

Mr. Robert Schulz  
City of Rio Rancho  
Department of Public Works  
P.O. Box 15550  
Rio Rancho, NM 87174-0550

Dear Mr. Schulz:

This is in reference to our December 6, 2001 meeting regarding compliance with regulations pursuant to Section 404 of the Clean Water Act (33 CFR 320-331). As discussed, it is important for public and/or private individuals and entities to notify the Corps of Engineers prior to depositing soil, rock, debris, or other fill material into jurisdictional waters. In most cases, the actions above require a Section 404 permit or verification of an existing general permit. The placement of fill or dredged material in jurisdictional waters without authorization is a violation of federal law and subject to enforcement actions.

An example of a jurisdictional water is an arroyo which is a part of a drainage system ultimately draining to the Rio Grande (ex. - Black's Arroyo, Arroyo de los Montoyas). In other words, a jurisdictional water is an interstate water and its tributaries and subtributaries. Note that a channel does not need constant water flow to be jurisdictional. Also, there is no size criteria defining a jurisdictional water so smaller, unnamed arroyos may also be jurisdictional waters. Finally, wetlands adjacent to jurisdictional waters are themselves jurisdictional.

We are available to answer questions regarding jurisdiction, whether in general or site-specific. We can make site visits, although early notification is recommended. There are no fees associated with our desk or field jurisdictional determinations.

If you have any questions please feel free to write or call me at (505) 342-3279, or e-mail at: [ed.l.paulsgrove@usace.army.mil](mailto:ed.l.paulsgrove@usace.army.mil).

Sincerely,

A handwritten signature in cursive script that reads "Edward L. Paulsgrove".

Edward L. Paulsgrove  
Regulatory Project Manager

City of Rio Rancho  
Summary of  
GRADING PERMIT REQUIREMENTS

Prepared by:  
Robert C. Schulz, P.E.  
Project Manager, Department of Public Works

May 11, 2000

**A - General:**

Applications are submitted to the City Engineer in letter form. The letter needs to include specific information as indicated in Section B. Certain items must be included as exhibits to the application, as listed in Section C. The Owner and Contractor/Builder will need to agree to the performance standards listed in Section D.

The permit will be approved by letter from the City Engineer. Any deviation from the approved permit will need to be approved in advance by the City Engineer.

The permit shall remain in effect until one of the following conditions has been met:

- 1 - The disturbed area has been permanently stabilized by revegetation, paving or other permanent surface treatment.
- 2 - The graded area is incorporated in another city approved permit, such as a building permit or project construction plans.

**B - An application for a grading permit must include the following general information:**

- 1 - Property owner: Name, address and phone number.
- 2 - Contractor/Builder: Name, address and phone number.
- 3 - Primary contact, during construction: Name and phone number.
- 4 - Emergency/after hours contact, during construction: Name and phone number.
- 5 - Site location, address and legal description.
- 6 - Description of work to be performed.
- 7 - Construction schedule, including:

- a - Start date
- b - Date of major accomplishments
- c - Completion date
- d - Final stabilization (revegetation, paving, etc.)

8 - Land area. (acres)

9 - Disturbed area. (acres)

10 - The application must include a statement that the owner and the contractor/builder understand and will comply with the requirements listed in this "Summary of Grading Permit Requirements" document. This document should be attached to the application letter.

11 - Contractor/builder signature.

12 - Owner signature

**C - The following items should be submitted with the application:**

1 - Location Map based on CORR Street Map Atlas

2 - Approved plat. (9-2-6)

3 - Approved grading and drainage plan. (8-7-12-I)

4 - If the applicant is required to comply with the industrial permit requirements of the Clean Water Act, the applicant shall provide a copy of EPA Notice of Intent and SWPPP (Stormwater Pollution Prevention Plan), as forwarded to the EPA.

5 - Erosion/Dust/SWP Control Plan, if not required as part of item 4.

6 - Haul Routes.

7 - Flow path to the nearest major arroyo, floodplain or drainage way.

Note: Items 1, 6 and 7 may be included on item 4 or 5.

**D - The owner and contractor must agree to comply with the following Performance Standards:**

- 1 - All work performed under this permit shall comply with the City of Rio Rancho Dust Control Ordinance (9-12-8). These requirements shall apply to city roads used as haul routes.
- 2 - All work performed under this permit shall comply with the requirements of the City of Rio Rancho Storm Drainage Regulations (8-7).
- 3 - All work performed under this permit shall comply with the requirements of the "City of Rio Ranch Grading and Drainage Design Requirements and Policies for Land Development".
- 4 - The owner, contractor and/or builder shall determine and comply with all appropriate local, State and Federal regulations and requirements.
- 5 - This permit does not allow any construction activities within FEMA or SSCAFCA floodplains or drainage ways unless it is specifically stated within the permit.
- 6 - Fill/back-fill shall be placed in eight inch lifts and compacted to 90% optimum density per ASTM D1577 and 95% under structures including driveways and parking lots.
- 7 - The contractor/builder shall take all appropriate and reasonable measures to prevent sediment or pollutant laden storm water from exiting the site during construction. Stormwater may be discharged in a manner, which complies with the approved grading and drainage plan.
- 8 - The contractor/builder shall take all appropriate and reasonable measures to prevent the movement of construction related sediment, dust, mud, pollutants, debris, waste, etc from the site by wind, storm flow or any other method excluding the intentional, legal transportation of same in a manner acceptable to the city.

Any deviation from this permit must be approved in advance by the City Engineer.