

# CITY OF ALBUQUERQUE

Planning Department  
Brennon Williams, Director



Mayor Timothy M. Keller

June 11, 2021

Buglo Properties, LLC.– John Lowe, jlowe14@comcast.net

**Site: Viva Paradise Town Homes - 5512 Buglo Ave. NW; B11E010A; NMR1002ZX**

**Re: Drainage Ordinance (14-5-2-11) Violations for Erosion and Sediment Control**

The following violations were observed while inspecting the site on 6/11/2021.

1. NPDES coverage was not posted. (1<sup>st</sup> Violation)
2. The silt fence was down on the south side of the pond, and minor repairs are needed elsewhere. (1<sup>st</sup> Violation)





3. Install perimeter silt fences as shown in the ESC Plan (1<sup>st</sup> Violation)





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4. Sediment has accumulated greater than half the height of the silt fence along Buglo Street (1<sup>st</sup> Violation)





5. Washout on the ground (1<sup>st</sup> Violation)





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6. Inactive portions of the site have not been stabilized in accordance with CGP 2.2.14 (1<sup>st</sup> Violation). The pond on Lot 12A has been relocated to lot 11B and has been inactive for a long time. Construction support activities disturbed a portion of the neighbor's lots 9A, 9B, 10B, and 12B. You may have to pay that neighbor for the use of his property. Stabilization of that property will be the responsibility of this site unless the neighbor obtains NPDES permit coverage.







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7. Self-inspection report has not been received upon last request via email dated May 14, 2021(1<sup>st</sup> Violation)



**Required Mitigation:**

1. You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to the construction site CGP 1.5.
2. Install, inspect and maintain BMPs, including silt fence. Ensure that all stormwater controls (BMPs) are maintained and remain in effective operating condition during permit coverage per CGP 2.1.4. If at any time you find that a stormwater control needs routine maintenance, you must immediately initiate the needed maintenance work and complete such work by the close of the next business day. When the problem requires a new or replacement control or significant repair, install the new or modified control and make it operational, or complete the repair, by no later than seven (7) calendar days from the time of discovery per CGP 5.
3. Direct wash water from concrete, paint, and stucco into a leak-proof container per CGP 2.3.4. Remove and dispose of hardened concrete with other waste in per CGP 2.2.3.
4. Where sediment has been tracked out from your site onto paved roads and sidewalks, remove the deposited sediment by the end of the same business day in which the track-out occurs per CGP 2.2.4.d.
5. Implement and maintain stabilization measures in areas that remain inactive for 14 days or more. Measures must be initiated within 14 days, and complete the installation not later than 14 days. **Stabilize the inactive disturbed areas.** Written documentation of the agreements with the neighbors should be included in the SWPPP along with documentation of the materials, rates, and dates of stabilization application.
6. Provide the latest self-inspection report.

If the violations are not mitigated within 7 days, the property owner is subject to a fine of \$500/day per the City's Drainage Control Ordinance and the non-compliance will be reported to the EPA.

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

Sincerely,

*James D. Hughes*

James D. Hughes, P.E.  
Principal Engineer, Hydrology/Stormwater Quality  
Planning Dept.