

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

October 16, 2023

DR Horton Inc., Todd Warmkessel – TWarmkessel@drhorton.com – 505-225-4760, 505-797-4245
DR Horton Inc., Joseph Cordero – JAordero@DRHorton.com – 505-991-5266

Site: Volcano Mesa Subdivision at 6800 Oakridge NW - C09E001H - NMR1004HB

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

On 10/12/2023, the city conducted an ESC inspection and noted the following violations of the Construction General Permit (CGP) and the City Ordinance.

1. The SWPPP and Self-inspection reports were unavailable on-site at the time of the inspection, violating CGP 7.3, CGP 4.7.3, and City Ordinance § 14-5-2-11(C)(1).

Albuquerque's Erosion and Sediment Control (ESC) ordinance § 14-5-2-11 (attached) requires the property owner to comply with the Construction General Permit (CGP) [2022 Construction General Permit \(CGP\) | US EPA](#).

Required Mitigation:

1. The SWPPP, including Self Inspection Reports and Corrective Action Reports, must be kept up-to-date per CGP 7.1 and available on-site per CGP 4.7.3, 5.4.3 and 7.3 and City Ordinance § 14-5-2-11(C)(1). If an on-site location is unavailable to keep the SWPPP when no personnel are present, notice of the plan's location must be posted near the main entrance of your construction site CGP 7.3.

History of Violations:

Notice of the following types of violations was sent on the dates noted below:

1. NOI – 6/16/22 (Level 1)
2. SWPPP – 6/16/22 (Level 1), 10/16/23 (Level 2)

The City Escalation Process (attached) describes four levels of escalation based on the number of repeats and/or recalcitrant violations of each type.

If the violations are not mitigated within seven days from receipt of this notice, 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. Repeat violations are also subject to a fine of \$500/day.

If you have any questions, contact me at 924-3420 or jhughes@cabq.gov.

Sincerely,
James D. Hughes, P.E., CPESC

James D. Hughes

Principal Engineer, Planning Dept.
Development and Review Services

<https://www.cabq.gov/planning/development-review-services/stormwater-quality-section>

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