

Alan Varela, Director

Mayor Timothy M. Keller

September 30, 2023

Bedrock ABQ Investors, LLC – Lauren Boyd - laurenb@laterradev.com – 310-552-0065 (Tracts 4 & 5)
PV Trails Albuquerque LLC – Kevin Wechter - kwechter@pacventures.com – 858-625-0100 (Tract 3)

Site: Bedrock at the Trails – 9300 Woodmont NW (C09E011B) NMR1005SI

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

The following Violations were noted during an inspection conducted by the City on 9/28/23.

1. **NOI** - The east half of Tract 3 has been cleared and graded without obtaining coverage under the Environmental Protection Agency's (EPA's) Construction General Permit (CGP) in violation of CGP 1.4.3 and without an ESC Plan and NOI approved by Albuquerque's Stormwater Quality (SWQ) Section in violation of Ordinance § 14-5-2-11.

Albuquerque's Erosion and Sediment Control (ESC) ordinance § 14-5-2-11 (attached) requires the property owner to provide an ESC Plan and the EPA's Notice of Intent (NOI) to the city for review and approval prior to issuing construction permits and prior to any land-disturbing activity. It also requires compliance with the Construction General Permit (CGP) [2022 Construction General Permit \(CGP\) | US EPA](#)

Required Mitigation:

1. The property owner's NOI and ESC plan must be submitted to the City of Albuquerque per Ordinance § 14-5-2-11

History of Violations:

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

1. NOI – 9/30/2023 (Level 2)
2. SWPPP - 9/30/2023 (Level 1)
3. BMPs - 9/30/2023 (Level 1)

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