

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

June 17, 2022

Kevin Wechter, PV Trails Apartments LLC, NMR1004NN kwechter@pacventures.com
Kevin Wechter, PV Trails Albuquerque LLC, NMR1004QE kwechter@pacventures.com
Michael McDonald, Pavilion Construction LLC, NMR1004O0 mmcdonald@pavilionconstruction.com

Sites: Preserve at Woodmont - C09E015

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

The following violations were observed during a City compliance inspections on April 25, 2022, June 2, 2022 and on June 16, 2022.

1. The up-to-date SWPPP was not available onsite. (3rd Violation Notice.)
2. Silt Fence (SF) was missing across the south property line, and on both sides of the disturbed area in Woodmont. (3rd Violation Notice.) Some dilapidated SF is located at the toe of the slope east of Woodmont that should be reset, preferably at the top of the slope.



Jun 16, 2022 at 4:34:16 PM
Woodmont Ave NW
Albuquerque NM 87114
United States



Jun 16, 2022 at 4:34:45 PM
Woodmont Ave NW
Albuquerque NM 87114
United States



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Albuquerque's Erosion and Sediment Control (ESC) ordinance § 14-5-2-11 at link https://codelibrary.amlegal.com/codes/albuquerque/latest/albuquerque_nm/0-0-0-19897 requires the property owner to comply with the Construction General Permit [2022 Construction General Permit \(CGP\) | US EPA](#).

Required Mitigation:

1. The SWPPP must be kept up-to-date and available onsite per CGP Part 7.1. 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 Part 7.3.
2. Install and repair all BMPs. Ensure that all stormwater controls (BMPs) are maintained and remain in effective operating condition during permit coverage per CGP Part 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 Part 5.

Per the previous Violation letter dated 6/9/2022, the City is assessing fine #2 in the amount of \$3,500 and the non-compliance is being reported to the EPA. This fine is for seven (7) days, 6/10/2022 thru 6/16/22. Additional days may be added if the violation is not mitigated within 7 days. Progressive enforcement escalation procedures will be used and strictly enforced for recalcitrant or repeat offenders.

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

Sincerely,

James D. Hughes

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