



January 14, 2016

Fountain Hills Plaza LLC: Tru Howe at Tru@CGInm.com

P.O. Box 56883, Albuquerque, NM 87187

Fountain Hills Plaza LLC: Jason Shaffer at jashaffer3@hotmail.com

Desert Fox LLC: Attn: Cody Sutton at desertfoxpaving@yahoo.com

Re: Drainage Control Ordinance (14-5-2-1) and NPDES CGP Violations for Erosion and Sediment Control - Vista Fuente Rd

Dear Property Owner and contractor,

On November 20th, Desert Fox was notified of the following violations of the NPDES CGP and the Drainage Control Ordinance:

1. Considerable amount of sediment in Loma Fuente Ave, most likely due to the long continuous stretch of dirt up the hill and the lack of a good construction entrance/energy dissipator.

The recommendation was made to build berms or place wattles every 100 to 150 feet to slow the water down.

Desert Fox was also informed to improve the construction entrance. Basically rock across the whole road and to remove the sediment from Loma Fuente.

The following violations were found at yesterday's inspection:

1. Construction entrance in very poor condition.
2. Sediment in Loma Fuente Ave around traffic circle and going down Loma Fuente for a long distance.
3. Sediment in Education Place stretching about 100 feet downhill of construction site.
4. Dirt in Education Place immediately upstream of an inlet without inlet protection.
5. No inlet protection around inlets in Vistas Fuente.

One of the difficulties of this project is Noah's Event Center started construction before the road was built. The site drains into the road project and increases track-out due to the number of contractors requiring access to Noah's Event Center. However, that does not reduce the responsibility.

Required Mitigation:

1. Install an effective construction entrance (s) at Loma Fuente and Vista Fuente and Education Place if that entrance will be used.
2. When active grading is not occurring install wattles across Vista Fuente every 200 to 250 feet. 100 to 150 feet was recommended on November 20th. Sediment in the gutter pan hundreds of feet from the site indicate sediment is leaving this project during rain events. If this entrance to Vista Fuente is to be closed, it may be effective to construct a berm/pond in conjunction with wattles or silt fence.
3. Remove sediment from Loma Fuente Ave and Education place. Sweeping of Loma Fuente should extend down to the inlet in the street.
4. Remove sediment from Education Place and provide appropriate BMP to prevent sediment from entering the street.



5. Install inlet protection for new inlets in Vista Fuente Rd.

The above listed violations are to be mitigated within seven days or your non-compliance will be reported to the New Mexico Environment Department, Surface Water Quality Bureau to aid in the determination if this issue is to be forwarded to the EPA.

In addition, if the violations are not mitigated within 30 days or are found again after 30 days, the property owner is subject to a fine up to \$500/day per the City's Drainage Control Ordinance.

If you have any questions, you can contact me at 924-3420.

Sincerely,

Curtis Cherne, P.E.
Principal Engineer, Stormwater Quality
Planning Dept.

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