

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

May 29, 2024

Stillbrooke Homes, Inc. – Chris Kelsey – ckelsey@stillbrooke.com - 505-585-1800

Sites: Horizon Village – 8801 Horizon Blvd NE (C17E119) - NMR10023F

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

The City of Albuquerque conducted an ESC Inspection on 5/23/24 and found the following violations.

1. **Posting** of the CGP coverage was missing in violation of CGP 1.5.



2. The **SWPPP** and self-inspection reports were not up-to-date in violation of CGP Part 4.7.3 and Part 7.1. The self-inspection reports were not signed by the operator in violation of CGP Part 4.7.2. The Stormwater Team was not identified in violation of CGP Parts 6.1 and 7.2.2. There was no site map included in violation of CGP Part 7.2.4.
3. There is concrete **washout** on bare soil in violation of CGP Part 2.3.4.



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 per CGP Part 1.5.
2. 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. Each inspection report must be signed by the operator's signatory in accordance with CGP Appendix G, Part G.11 per CGP Part 4.7.2. Identify the personnel (by name and position) that you have made part of the stormwater team pursuant to CGP Part 6.1 which states that the stormwater team must include personnel who are responsible for 1) the design, 2) installation, 3) maintenance, and 4) repair of stormwater controls, 5) application and storage of treatment chemicals (if applicable), 6) conducting inspections, and 7) taking corrective actions. Include a legible map, or series of maps, that show construction activity and stormwater control locations per CGP Part 7.2.4.
3. Direct **wash water** into a leak-proof container or a leak-proof and lined pit designed so that no overflows can occur due to inadequate sizing or precipitation per CGP Part 2.3.4.a. Do not allow liquid wastes to be disposed of through infiltration or to otherwise be disposed of on the ground as per CGP Part 2.3.4.b.

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History of violations:

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

1. Posting – 5/23/24 (Level 1)
2. SWPPP – 1/20/22, 2/28/22, 6/2/22, 6/15/22, 5/23/24 (Level 2)
3. Washout – 1/20/22, 2/28/22, 6/2/22, 6/15/22, 5/23/24 (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. The repeated violations regarding the SWPPP and concrete Washout have been reset to Level 2 due to time elapsed between the 2022 inspections and the 2024 inspections.

If the Level 2 violations are not mitigated within seven 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. Repeat violations are also subject to a fine of \$500/day.

If you have any questions, you can contact me at 505-924-3325, or cenglish@cabq.gov.

Sincerely,

Chancellor English

Chancellor English, CPESC
Erosion and Sediment Control Specialist, Stormwater Quality
Planning Dept.