



Alan Varela, Director

Mayor Timothy M. Keller

April 1, 2024

Quivira Land, LLC– Tim McNaney - tmcnaney@twilighthomes.com - 505-322-6027

Sites: Quivira Estates at 6700 Quivira Drive NW – D09E006 – NMR1004BO

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

The city SWQ section conducted a routine inspection on 3/25/24 and observed the following repeat Violation.

1. The **SWPPP** and self-inspection reports were not available on-site during the inspection. Tim McNaney, the owner/operator, was called from the site at the beginning of the inspection, and then members of his stormwater team called and said they were too busy to bring the SWPPP to the site during the inspection.

Required Mitigation:

1. The **SWPPP**, including the SWPPP Map, 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. 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. The property owner's **NOI** must be submitted to the City of Albuquerque for review and approval per Albuquerque's Erosion and Sediment Control (ESC) ordinance § 14-5-2-11 (attached).

History of Violations:

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

1. SWPPP – 4/21/22, (Level 1, 4/1/24 (Level 2)
2. Sediment - 4/1/24 (Level 1),
3. BMPs – 4/1/24 (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 level 2 violation is 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, contact me at 924-3420, jhughes@cabq.gov .

Sincerely,

A handwritten signature in cursive script that reads "James D. Hughes".

James D. Hughes, P.E.

Principal Engineer, Hydrology/Stormwater Quality
Planning Dept.