

# CITY OF ALBUQUERQUE

Planning Department  
Alan Varela, Director



Mayor Timothy M. Keller

November 10, 2022

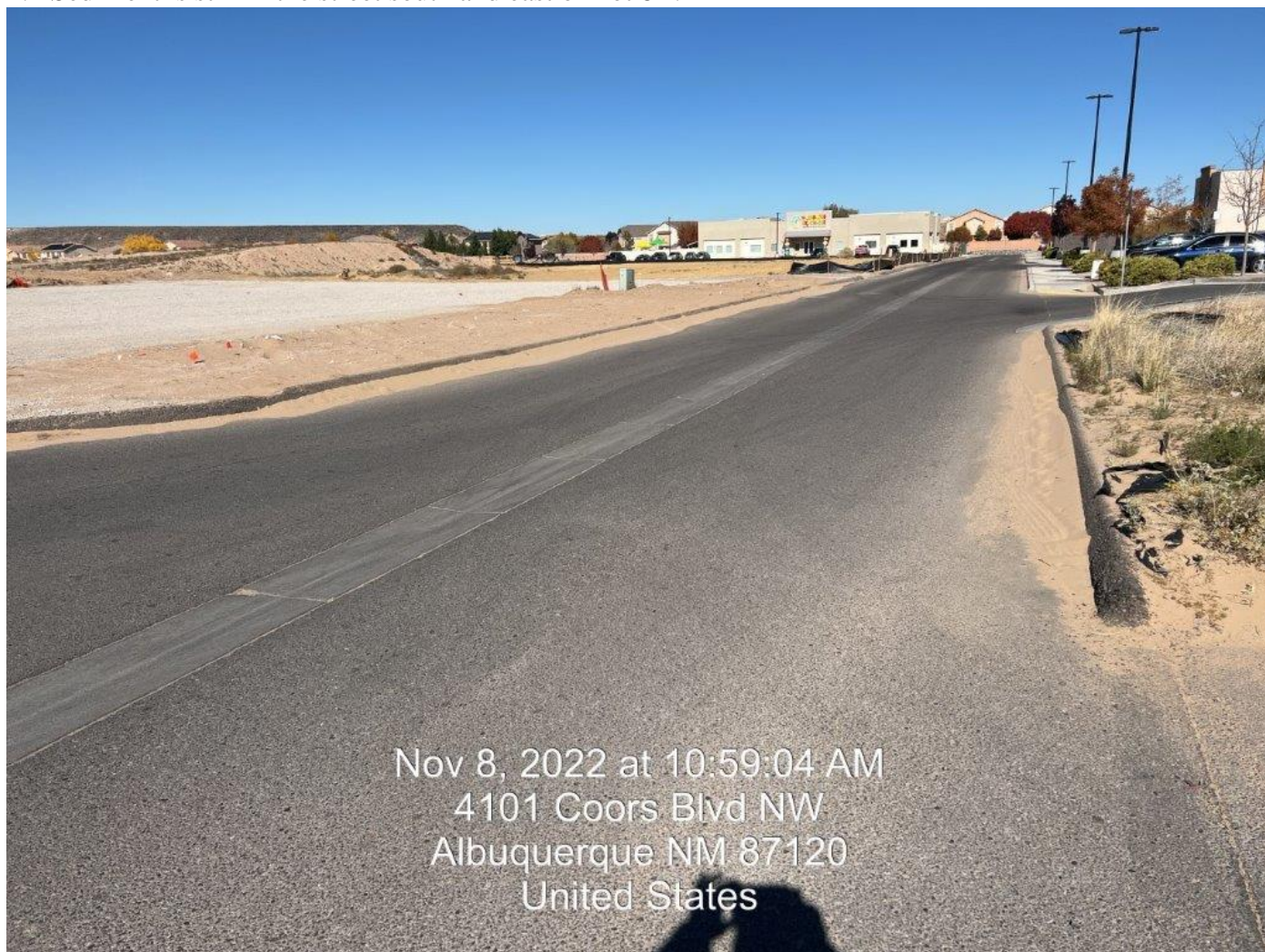
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Skarsgard Construction, LLC., Jason Skarsguard, [jason@scarsco.com](mailto:jason@scarsco.com), 505-803-3757, NMR10052U  
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8220 San Pedro Dr. NE Ste 500  
Albuquerque NM 87113

**Sites: Coors Pavilion Subdivision – 4111 Coors Blvd NW - G11E069**

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

The following conditions were observed during a City follow-up inspection on 11/08/22.

1. Sediment is still in the street south and east of Lot 8B.





2. BMPs – The silt fence (SF) is still falling down and hasn't been repaired or replaced on lots 5 and 8B, and it has been more than 7 days since the sediment and SF were noted in the most recent inspection report.



3. The SWPPP wasn't up-to-date. The Silt Fence (SF), shown on the map on lots 5 and 8B, wasn't installed, and the missing SF wasn't noted on either the map or a corrective action report. The latest self-inspection report was dated 10/28/22 and it noted the sediment and missing silt fence. Since the ESC Plan wasn't approved by the City until 10/31/22 there is good reason why and the missing SF wasn't noted on either the map or a corrective action report, however there isn't any excuse for not having removed the sediment and installed the SF.

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](https://codelibrary.amlegal.com/codes/albuquerque/latest/albuquerque_nm/0-0-0-19897) requires the property owner to comply with the Construction General Permit (CGP) [2022 Construction General Permit \(CGP\) | US EPA](#).

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## Required Mitigation:

1. Where sediment has been tracked-out from your site onto paved roads remove the deposited sediment by the end of the same business day CGP 2.2.4.d,
2. BMPs – Silt Fence (SF) must be reset on lots 5 and 8B as shown on the map. The SF is probably not needed on the north and west sides of lot 8B.
3. The SWPPP must be kept up-to-date and available on site. Corrective Action is required for the missing SF and the sediment in the street. Clearly identify the corrective action report in the SWPPP and note the need to update the SWPPP if the SF is deleted on the north and west sides of lot 8B per CGP 5.4 and CGP 5.2.1.c.

## History of Violations and Escalation Process:

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

1. Sediment – 8/18/22, 9/22/22, 11/10/22 (Level 3)
2. BMPs – 8/18/22, 9/22/22, 11/10/22 (Level 3)
3. SWPPP – 8/18/22, 9/22/22, 11/10/22 (Level 3)
4. Posting – 8/18/22, 9/22/22 (Level 3)
5. NOI – 8/18/22, 9/22/22 (Level 3)
6. Stabilization - 8/18/22, 9/22/22 (Level 3)

The City Escalation Process (attached) describes four levels of escalation based on the number of repeats and/or recalcitrant violations of each type.

Since you have been cooperative and made significant progress in mitigating the previously noted Violations, in accordance with the Escalation Process, the City is granting one additional week to mitigate these remaining Violations without further escalation or fines at this time. The City will conduct a followup inspection in one week to verify compliance with the CGP and City Ordinance. 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](mailto:jhughes@cabq.gov) .

Sincerely,

*James D. Hughes*

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