

# CITY OF ALBUQUERQUE

Planning Department  
Alan Varela, Director



Mayor Timothy M. Keller

March 20, 2024

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**Sites: Nu Vue at 1171 Jaffa Rd NE (J20E028)**

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

The city conducted a third ESC Inspection today, 3/20/24, as a follow-up to the first two inspections, which were conducted on 2/27/24 and 3/7/24. At the time of this third inspection, The **SWPPP** was not available on site in violation of CGP 7.3.

## **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.

## **History of Violations:**

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

1. NOI – 2/28/24 (Level 2)
2. BMPs – 2/28/24 (Level 2), 3/8/24 (level 2)
3. Posting - 2/28/24 (Level 2)
4. **SWPPP – 2/28/24 (Level 2), 3/20/24 (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.

**Per the previous Violation letter dated 3/8/24, the city is assessing a fine of \$500 for the current level 3 violation, and the non-compliance is being reported to the EPA. This fine is for one day, 3/20/24. 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](mailto:jhughes@cabq.gov).

Sincerely,

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