

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

March 11, 2025

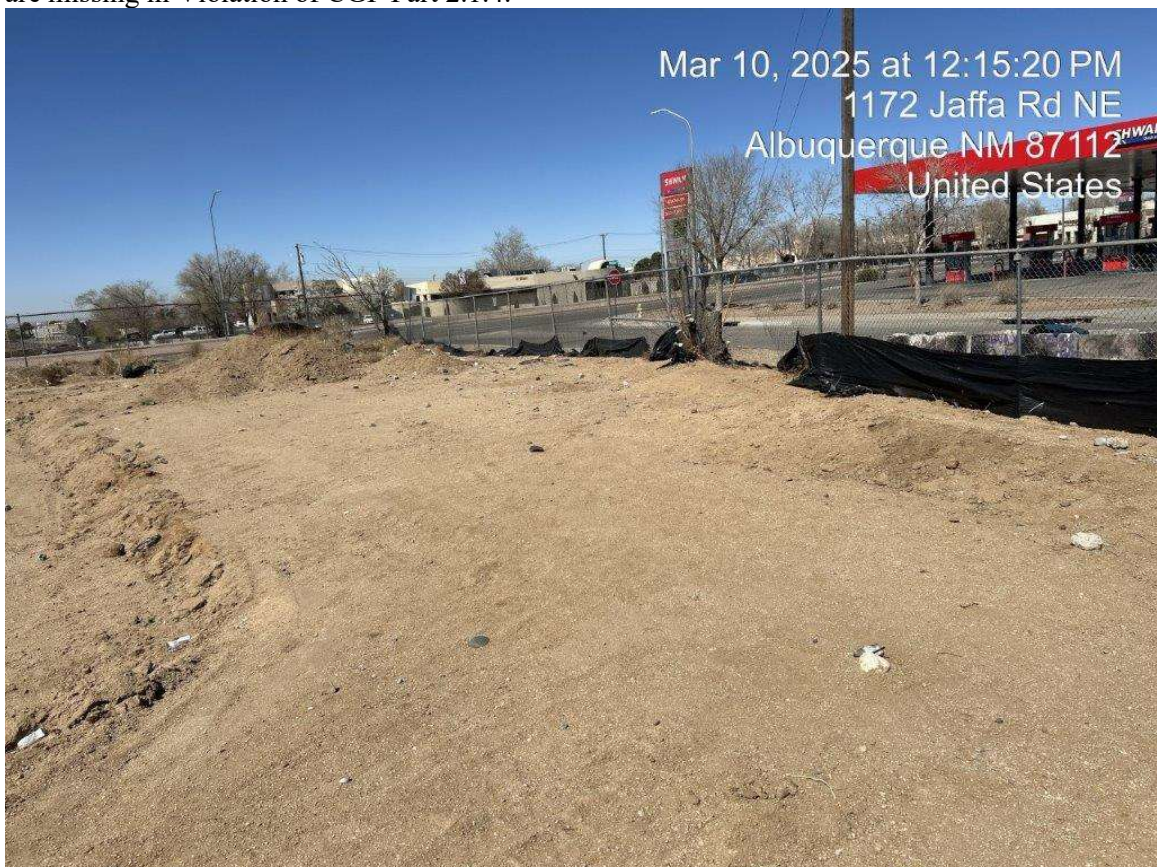
4740 Dillon Drive, LLC – Paul Julian at paulj@nuvuepharma.com – (919) 619-2443

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 an ESC Inspection on 3/10/25 to find the site in the same condition as a previous inspection reported on 10/17/24. Several inspections were performed last year found repeated violations on 2/27/24, 3/7/24, 3/20/24, 3/27/24, and 10/16/24 and included financial penalties. The following violation was identified at the time of this inspection.

1. The BMPs were in complete disrepair. The perimeter silt fence has sections that have collapsed or are missing in Violation of CGP Part 2.1.4.





Required Mitigation:

1. Ensure that all stormwater controls (BMPs) are maintained and remain in effective operating condition during permit coverage per CGP 2.1.4. If at any time you find that a stormwater control needs routine maintenance, you must immediately initiate the needed maintenance work and complete such work by the close of the next business day. When the problem requires a new or replacement control or significant repair, install the new or modified control and make it operational or complete the repair by no later than seven (7) calendar days from the time of discovery per CGP 5.2.1.

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), 3/27/24 (Level 3), 10/17/24 (Level 3), 3/11/25 (Level 3)
3. Posting - 2/28/24 (Level 2)
4. SWPPP – 2/28/24 (Level 2), 3/20/24 (Level 3), 3/27/24 (Level 4)

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

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Per the previous Violation letter dated 3/27/2024, the city is assessing a fine of \$500 for the current level 3 violation (BMPs), and the non-compliance is being reported to the EPA. This fine is for one day, 3/11/25. 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 924-3325, cenglish@cabq.gov.

Sincerely,

Chancellor English

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