

# CITY OF ALBUQUERQUE

Planning Department  
Brennon Williams, Director



Mayor Timothy M. Keller

July 15, 2021

Tim McNaney – Twilight Homes of New Mexico LLC,  
[tmcnaney@twilighthomesnm.com](mailto:tmcnaney@twilighthomesnm.com)  
Joe Hahn - Sunset Villa, LLC., [505rockhound@gmail.com](mailto:505rockhound@gmail.com)

**Site: Sunset Villa Subdivision – 500 Twilight Vista Lane;  
RMR1002WJ/NMR1001H2; K12E003\_T**

**Re: Drainage Ordinance (14-5-2-1) Violations for Erosion and Sediment Control**

The following violations were observed during an inspection on July 1, 2021.

1. Self-inspection report and information regarding operators and stabilization measures was not received upon last request via email dated 4/29/2021. (1<sup>st</sup> Violation Notice)
2. SWPPP was not available on site. (1<sup>st</sup> Violation Notice)
3. Stormwater controls (BMPs) are missing and in need of repair, specifically cutback swales are missing in the front yards of the new houses under construction. The grade behind the curb is higher than the street allowing sediment to easily enter the street. (2<sup>nd</sup> Violation Notice)





4. Sediment associated with new house construction is in the adjacent street. (2<sup>nd</sup> Violation Notice)



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5. The site is littered with washout in association with the new homes under construction (2<sup>nd</sup> Violation Notice)



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6. Construction waste is not in acceptable container. (2<sup>nd</sup> Violation Notice)





### **Required Mitigation:**

1. Conduct self-inspections Once every 14 calendar days and within 24 hours of the occurrence of a storm event of 0.25 inches or greater per CGP 4.2 and City ESC Ordinance § 14-5-2-11(C)(1) until final acceptance of site stabilization by the City. Provide copies self-inspection reports per CGP 4.7 and Corrective action reports per CGP 5.4, e-mail them to me.
2. The SWPPP must be kept up-to-date and available onsite per CGP 7. If an on-site location is unavailable to keep the SWPPP when no personnel are present,

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notice of the plan's location must be posted near the main entrance of your construction site. Provide a copy of the up-to-date SWPPP items listed in the attached SWPPP Checklist, e-mail to me.

3. Ensure that all stormwater controls (BMPs), including cut-backs, 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
4. Where sediment has been tracked-out from your site onto paved roads and sidewalks remove the deposited sediment by the end of the same business day CGP 2.2.4.d.
5. Direct wash water from concrete, paint, and stucco into a leak-proof container per CGP 2.3.4. Remove and dispose of hardened concrete with other waste in per CGP 2.2.3.
6. Dispose of construction and domestic waste in acceptable containers daily and use lids or tarps to cover waste containers when not in use per CGP 2.3.3.e.

Per the previous Violation letter, the City is assessing a fine of \$500 for the items marked "2<sup>nd</sup> Violation Notice". This fine is for 1 day. Additional days may be added at a rate of \$500/day if the violations are not mitigated within 11 days. This non-compliance will be reported to the EPA. Repeat violations are also subject to \$500/day fine.

If you would like to schedule a follow-up inspection at a day and time of your convenience, prior to 11 days from the date of this letter please let me know.

If you have any questions, you can contact me at 924-3420 or [jhughes@cabq.gov](mailto:jhughes@cabq.gov)

Sincerely,

*James D. Hughes*

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