ONE ALBUQUERQUE planning

Alan Varela, Director

Mayor Timothy M. Keller

January 23, 2025

Homewise Inc. – Eugene Chavez, echavez@homewise.org , 505-983-9473

Sites: Sombra Del Oeste at Valley Cottonwood Dr. SW (M09E032)

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

Mr. Chavez;

The Storm Water Quality (SWQ) Section of the City of Albuquerque conducted an Erosion and Sediment Control (ESC) inspection of the site on 1/22/25 to determine compliance with City Ordinance § 14-5-2-11 (attached) and the Environmental Protection Agency's (EPA's) Construction General Permit (CGP) 2022 Construction General Permit (CGP) | US EPA as a follow-up to previous inspection on 12/5/24 and 12/18/24. The following violations were noted during the inspection on 1/22/25.

1. **Porta-potty:** The portable toilet on Stampede Dr. was next to an inlet violation of CGP 2.3.3.f.

Required Mitigation:

1. **Porta-potty:** Secure the toilet to prevent tipping per CGP 2.2.3.f.

History of Violations:

Notice of the following types of violations was sent on the dates noted below:
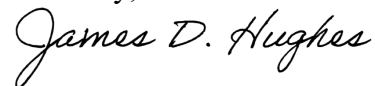1. **Posting -** 12/5/24
2. **BMPs –** 12/5/24, 12/27/24
3. **Sediment -** 12/5/24, 12/27/24
4. **SWPPP –** 12/5/24, 12/27/24
5. **Porta-potty** 12/5/24, 12/27/24, 1/23/25 (Level 3)
6. **Washout -** 1/23/25 (Level 1)

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

Per the previous Violation letter dated 12/27/2024, the city is assessing a fine of $500 for the current level 3 violations, and the non-compliance is being reported to the EPA. This fine is for one day, 1/23/25. Additional days may be added if the violation is not mitigated within 7 days. Progressive enforcement escalation procedures will be strictly enforced for recalcitrant or repeat offenders.

If you have any questions, contact me at 924-3420, jhughes@cabq.gov .

Sincerely,

James D. Hughes

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