

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

March 21, 2025

Sergio and Azucena Valles – Nolberto Trevizo – beto@lindomexicogrill.com – 505-288-4394

Site: Event Center at 1611 Airtech Ct SE

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

Mr. Valles and Mr. Trevizo;

The City performed a follow-up inspection on 3/20/25 to verify the mitigation of previous violation of the EPA's Construction General Permit (CGP). There has been no change to the condition of the site since the last inspection on 3/7/25. Because there was no mitigation of the previous violations, the City is issuing this formal Notice of Violation (NOV). The violations are as follows:

1. **SWPPP** – The SWPPP and inspection reports were not on-site during the inspection and the posted location of the SWPPP was the same address as the property in violation of CGP Parts 4.7.3 and 7.3.
2. **BMPs** – The inlet protection near the property entrance is inadequate as stormwater can bypass the protection and enter the City storm sewer system in violation of CGP Part 2.2.10. There is no stabilized construction exit and there is a dirt ramp in the City's curb and gutter system near the storm drain inlet in violation of CGP Part 2.2.4.





Required Mitigation:

1. **SWPPP** – You must keep a copy of the up-to-date SWPPP and all inspection reports at the site or at an easily accessible location so that they can be made immediately available at the time of an on-site inspection per CGP Parts 4.7.3 and 7.3. If an on-site location is unavailable to keep the SWPPP (and inspection reports) when no personnel are present, notice of the plan's location must be posted near the main entrance of your construction site.
2. **BMPs** – Install inlet protection measures that remove sediment from discharges prior to entry into any storm drain inlet that carries stormwater from your site to a receiving water per CGP Part 2.2.10. Use appropriate stabilization techniques at all points that exit onto paved roads to minimize sediment track-out per CGP Part 2.2.4.

History of Violations:

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

1. NOI - 3/7/25, 3/21/25 (Level 2)
2. BMPs - 3/7/25, 3/21/25 (Level 2)

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

If the Level 2 violations are not mitigated within seven days, the property owner will be subject to a fine of \$500/day per the City's Drainage Control Ordinance, and the non-compliance will be reported to the EPA. Recalcitrant or repeat offenders are also subject to a fine of \$500/day.

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If you have any questions, contact me at 505-924-3325, cenglish@cabq.gov.

Sincerely,

Chancellor English

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