

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

September 12, 2025

Abrazo Homes LLC – Mackenzie Bishop – mackenzie@abrazohomes.com – 505-269-0915

**Sites: Quivira Estates at 6700 Quivira Dr NW
Lots 4, 6, 21, 23**

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

The City performed a stormwater inspection for the development at Quivira Estates off of Vista Vieja Ave NW. It appears that Abrazo Homes has purchased several lots in the subdivision and has started breaking ground on Lot 23. The City's Stormwater Quality section has not received an Erosion and Sediment Control (ESC) Plan and a Notice of Intent for approval, and stormwater controls have not been installed to prevent sediment discharge from the lots. These lots are part of a Common Plan of Development or Sale (approx. 7 acres), and each developer needs permit coverage.

1. **NOI** - You have broken ground on a lot without approval from the City Stormwater Quality (SWQ) Section against City Ordinance §14-5-2-11. Starting work without either SWQ approval or Construction General Permit coverage is considered an automatic escalation of violation.
2. **SWPPP** – The SWPPP and inspection reports were unavailable at the time of inspection in violation of CGP Parts 4.7.3 and 7.3.
3. **Posting** – There was no posting of permit coverage in violation of CGP Part 1.5.

Required Mitigation:

1. **NOI** – For projects that disturb one acre or more, or less than one acre but are part of a larger common plan of development exceeding one acre, the property owner is to provide the Construction General Permit (CGP) Electronic Notice of Intent (NOI) documentation that contains the property owner name and contact information a minimum of 14 days prior to earth disturbance and prior to obtaining Work Order or Building Permit approval per City Ordinance §14-5-2-11.
2. **SWPPP** – You must keep a current copy of your 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.
3. **Posting** – You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to the construction site per CGP Part 1.5.

History of Violations:

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

1. NOI – 9/12/25 (Level 2)
2. SWPPP - 9/12/25 (Level 1)
3. Posting - 9/12/25 (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. Two egregious violation types are considered automatic Level 2 violations: either starting land disturbance without approval from the City SWQ or starting land disturbance without BMPs.

If the Level 2 violation is not mitigated within seven days, the property owner will be subject to a fine of \$500 per 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 per day.

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

Sincerely,

Chancellor English

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