

# CITY OF ALBUQUERQUE

Planning Department  
Alan Varela, Director



Mayor Timothy M. Keller

September 5, 2025

West Mesa RV Park, LLC – Karan Rai - [karanveer.rai@gmail.com](mailto:karanveer.rai@gmail.com) - 760-783-6599

**Sites: Paradise RV Park (aka Birdie RV Park), Phase 2 at 221 Leonidas Ln NW – K08E003 – NMR1006HM**

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

The city conducted an ESC Inspection on 8/28/25, the day after a 0.6” rain, to better understand the status of the Phase 2 construction and its effect on drainage patterns. The SWPPP and self-inspection reports were inspected the next day on 8/29/2025.

## Project History:

- On 12/10/2020, the city approved the Phase 1 onsite ESC Plan and NOI for Building Permit for the previous property owner, S.M. Quraishi,
- On 2/25/2021, the city approved a modified ESC Plan and NOI for Building Permit and Phase 1 offsite Work Order for the previous property owner, S.M. Quraishi, on 2/25/2021
- On 7/19/2021, the city issued a Notice of Violation to the previous property owner, S.M. Quraishi, for missing BMPs, waste, and sediment.
- On 12/14/2022, the city approved S.M. Quraishi’s updated NOI.
- In late 2023, S.M. Quraishi sold the property to West Mesa RV Park, LLC, which then completed the Phase 1 Construction without submitting an ESC Plan and NOI to the city SWQ Section for approval.
- On 5/08/2024, during a routine inspection, the city noted that the construction and stabilization of Phase 1 appeared to be complete and urged S.M. Quraishi, the last known property owner, to file their Notice of Termination (NOT) with the EPA, and the City stopped inspecting the property at that time.
- On 5/29/2024, Karan Rai, a West Mesa RV Park, LLC member, filed an NOI with the EPA and began grading Phase 2 without submitting an ESC Plan and NOI to the city SWQ Section for approval.
- An 8/19/2024 Google Earth photo shows that West Mesa RV Park, LLC, has built a block wall along the Phase 2 frontage on 102nd St., filled in the Phase 1 pond and swale, and excavated a new pond west of 102<sup>nd</sup> St., all without submitting an ESC Plan and NOI to the city SWQ Section for approval.
- On 4/29/2025, the City Hydrology Section approved the Phase 2 Drainage Report and G&D Plan for Building and Grading Permits.
- On 8/27/2025, West Mesa RV Park, LLC submitted an ESC Plan and NOI to the city SWQ section for Phase 2.

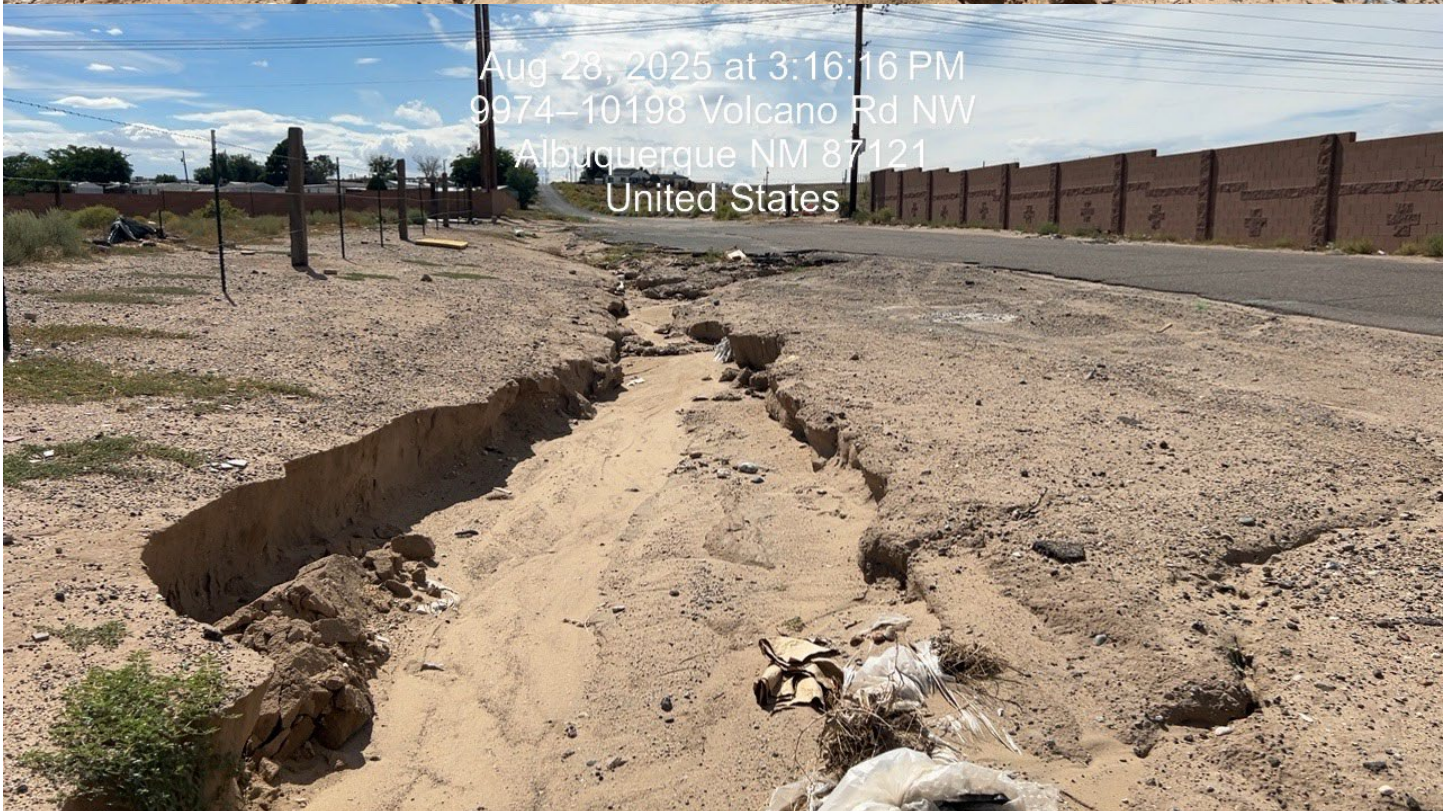
## Violations:

On 8/28/2025 the following violations of the City Ordinance and the EPA’s Construction General Permit (CGP) were noted.

1. **NOI** - Phase 2 construction began over one year ago without submitting the property owner's Notice of Intent (NOI) and ESC Plan to the City for approval, which violates City Ordinance § 14-5-2-11(A). This ordinance states that “*the property owner is to provide the Construction General Permit (CGP) Electronic Notice of Intent (eNOI) documentation that contains the property owner name and contact information a minimum of 14 days prior to earth disturbance.*” The city issued a comment letter dated 9/2/25 regarding the NOI and ESC Plan you submitted on 8/27/25, which must be addressed before they can be approved.



2. **BMPs** - The Phase 1 pond should still serve as one of the BMPs protecting Volcano Rd. from stormwater crossing 102nd St. near this site, but the Phase 1 pond was filled a year ago during the unauthorized start of Phase 2 earthwork. The Phase 2 block wall along 102nd St. further contributed to diverting 102nd St. stormwater to the recent erosion in Volcano Rd and city Pond NE2 south of your site, which violates city Ordinance § 14-5-2-12(B)(3). This ordinance states: *“During the period of May 1 through October 31, any grading within or adjacent to a facility that conveys a minimum of 50 cfs of holds 2.0 acre-feet must provide for stormwater control, erosion control, and the safe passage of the 10-year design storm runoff during the construction phase.”*





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3. **Erosion and Sediment** -Failure to control the upstream off-site drainage in accordance with the Phase 1 ESC Plan has caused significant downstream erosion in violation of CGP 2.2.11, which requires you to “*Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points.*” The fine portion of the eroded material remained suspended as it passed through the city’s Municipal Separate Storm Sewer System (MS4), and the larger sediment particles were deposited in the bottom of the city’s Pond NE2.





**Required Mitigation:**

1. **NOI** - The property owner's NOI and ESC Plan must be submitted to the City of Albuquerque for review and approval per Albuquerque's Erosion and Sediment Control (ESC) ordinance § 14-5-2-11(A), and it must include all of the off-site areas of disturbance.
2. **BMPs** – Either restore the Phase 1 Pond and the temporary onsite swale and remove the block wall along 102<sup>nd</sup> St., or construct alternative BMPs in accordance with an ESC Plan approved by the City SWQ Section until construction and stabilization are complete in the City's adjacent MS4 system. Also, onsite BMPs should be established per an approved ESC Plan.
3. **Erosion and Sediment** – Repair the erosion and remove the sediment deposits in the city's MS4 in accordance with a Restoration Plan approved by the City Maintenance Section to be included in the Work Order (WO) Plans for Phase 2. Also, infrastructure must be constructed to prevent further erosion and sediment per revised WO plans approved by the city.

**History of violations:**

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

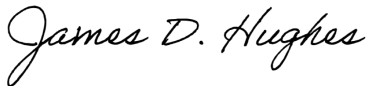
1. **NOI** 9/5/25(Level 2)
2. **BMPs** 9/5/25(Level 2)
3. **Sediment** 9/5/25(Level 2)

The City Escalation Process (attached) describes four levels of escalation based on the number of repeats and/or recalcitrant violations of each type. Level one is skipped if land disturbance began without City approval or BMPs.

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

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

Sincerely,



James D. Hughes, P.E., CPESC  
Principal Engineer, Planning Dept.  
Development and Review Services