

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

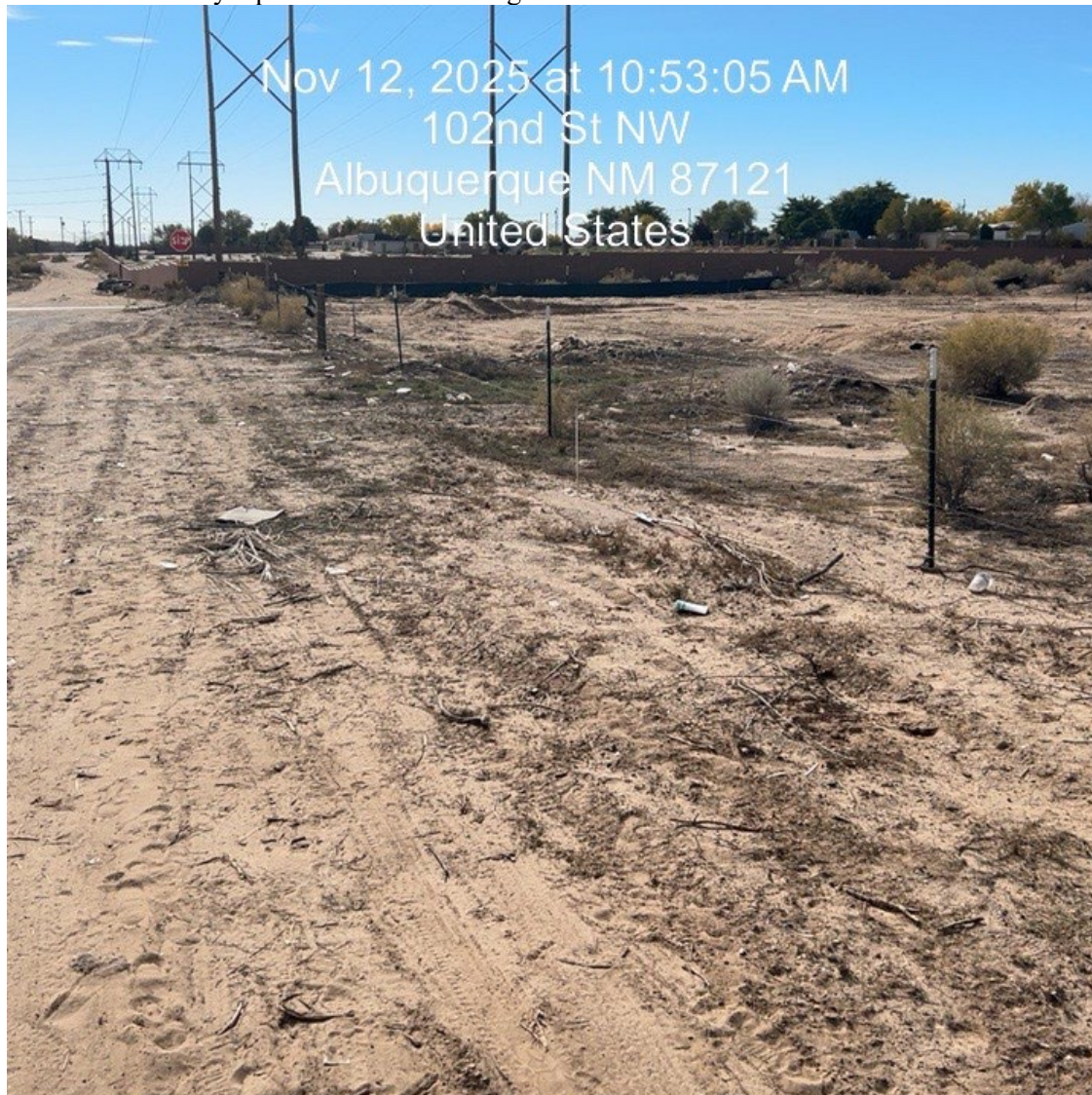
November 13, 2025

West Mesa RV Park, LLC – Karan Rai - 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 11/12/25 as a follow-up to Notice of Violation #3 sent on 10/30/25, and found that West Mesa RV Park has made significant progress in mitigating the Violations in the 14 days since the previous notice. Two of the three original violations have been mitigated. Specifically, the ESC Plan has been approved by the city, and the sediment discharge downstream has been resolved. Additional progress was made in providing some of the upstream BMPs, but BMPs to prevent off-site flows from being diverted by Phase 2 construction into the areas of erosion in Volcano Rd. and the city's pond were still missing.



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 102nd 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.
- On 9/3/2025, the city SWQ section issued a comment letter on the ESC Plan and NOI to West Mesa RV Park, LLC
- On 9/5/2025, the city SWQ section issued Notice of Violation #1 to West Mesa RV Park, LLC., for lack of a City-approved NOI and ESC Plan, Lack of BMPs, and erosion and sediment in Volcano Rd and the city's pond.
- On 9/16/2025, the City and West Mesa RV Park, LLC met to review field conditions on Avalon Rd. between 102nd St. and 106th St.
- On 9/17/2025, the city SWQ section conducted a follow-up inspection but didn't send another NOV because the owners said they would cooperate and mitigate the violations.
- On 9/23/25, the city hosted a Teams meeting with West Mesa RV Park, LLC, AMAFCA, and Bernalillo County, primarily to discuss the impact of recent diversions in the upstream watershed that might affect the hydrology in the Phase 2 Drainage report that was approved by the City on 4/29/2025
- On 10/7/2025, West Mesa RV Park, LLC resubmitted an ESC Plan and NOI to the city SWQ section for Phase 2.
- On 10/16/2025, the city SWQ section issued Comment Letter #2 on the ESC Plan and NOI to West Mesa RV Park, LLC.
- On 10/17/2025, the city SWQ section conducted another follow-up inspection and found that one of the three previous violations, the erosion and sediment in Volcano Rd. and the city pond, was in the process of being mitigated by City personnel and equipment from the Street Maintenance Division of DMD. The City SWQ section transmitted the inspection report to West Mesa RV Park, LLC on 10/21/2025 with revised comments on the ESC Plan in the transmittal email.
- On 10/21/25, the city SWQ section issued Notice of Violation #2 to West Mesa RV Park, LLC., for beginning Phase 2 construction without an ESC Plan approved by the city and without BMPs to prevent off-site flows from being diverted by Phase 2 construction into the areas of erosion in Volcano Rd. and the city's pond.
- On 10/23/25, West Mesa RV Park, LLC submitted a plan for diversion and ponding upstream off-site stormwater west of 102nd St., and the city SWQ section provided comments the same day.
- On 10/24/25, West Mesa RV Park, LLC emailed the plan for diversion and ponding upstream off-site stormwater west of 102nd St. to Francesco Martinez at Bernalillo County.
- On 10/27/25, Francesco Martinez responded that further coordination with the county Planning and Development Services and Public Works is necessary to review and approve the plan.
- On 10/30/25, the city SWQ section issued Notice of Violation #3 to West Mesa RV Park, LLC., for beginning Phase 2 construction without an ESC Plan approved by the city and without BMPs to prevent off-site flows from being diverted by Phase 2 construction into the areas of erosion in Volcano Rd. and the city's pond.
- On 10/30/25, West Mesa RV Park, LLC resubmitted an ESC Plan and NOI to the city SWQ section for Phase 2.
- On 10/31/25, the city SWQ section approved the ESC Plan and NOI for Phase 2.

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Violations:

On 11/12/2025, the following violations of the City Ordinance and the EPA's Construction General Permit (CGP) were noted.

1. **BMPs** - BMPs are still missing to prevent upstream off-site stormwater from being diverted by the Phase 2 construction into Volcano Rd and the city's pond south of this site so you have missed the 7-day deadline in violation of CGP 5.2.1. Furthermore, the SWPPP didn't contain a Correction Report documenting why installation was infeasible, and the schedule for completing the repairs was missing in violation of CGP 5.2.1(C). The Phase 1 on-site pond served as a BMP protecting Volcano Rd and City Pond NE2, but it was removed a year ago during the unauthorized start of Phase 2 earthwork, leaving no BMPs protecting against erosion and sediment downstream of this site, which violates CGP 2.2.11. The Phase 2 block wall along 102nd St., built over two years ago, further contributed to erosion on Volcano Rd and City Pond NE2 south of your site.



Required Mitigation:

1. **BMPs** – Temporary compacted berms, swales, and storage in temporary sediment basins must be constructed immediately to prevent off-site flows from being diverted by Phase 2 construction into the areas of erosion in Volcano Rd. and the city's pond whether those berms and ponds be located east of 102nd St., in the City, or west of 102nd St. in the county. This is a Corrective Action as identified in CGP 5.1.2 and 5.1.4, and you have missed the 7-day deadline. So, per CGP 5.2.1.c, ***"If it is infeasible to complete the installation or repair within seven (7) calendar days, you must document in your records why it is infeasible to complete the installation or repair within the 7-day timeframe and document your schedule for installing the stormwater control(s) and making it operational as soon as feasible after the 7-day timeframe."***

History of violations:

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

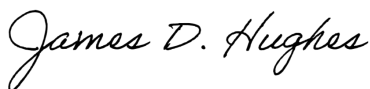
1. **NOI** 9/5/25(Level 2), 10/21/25(Level 3), 10/30/25(Level 4)
2. **BMPs** 9/5/25(Level 2), 10/21/25(Level 3), 10/30/25(Level 4), 11/13/25(Level 4)
3. **Sediment** 9/5/25(Level 2)

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 was skipped since Phase 2 began without City approval or BMPs.

Per City Ordinance § 14-5-2-11(C)(3), *"The city will utilize sanctions and penalties to enforce upon violations of permit requirements. Progressive enforcement escalation procedures will be used and strictly enforced for recalcitrant or repeat offenders."* Per the Escalation Process, seven additional days will be allowed to mitigate the remaining violation before additional penalties are assessed. Penalties continue to accrue at \$500 per day since the last penalty day on 10/30/2025 and will be assessed if the remaining violations are not mitigated before the next city inspection. Progressive enforcement escalation procedures will be used and strictly enforced for recalcitrant or repeat offenders.

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

Sincerely,



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