



Alan Varela, Director

Mayor Timothy M. Keller

November 7, 2025

Stephen T. Marcum
Skyline Civil Group, LLC
4414 82nd St.
Lubbock TX 79424

Re: McDonald's - 301 Eubank Blvd SE
Erosion and Sediment Control Plan – L20E004A – (SWQ-2025-00052)
Engineer's Stamp Date: 7/22/25

Mr. Marcum,

Based on the information in your submittal received on 11/4/25, the ESC Plan and Notice of Intent (NOI) cannot be approved until the following comments are addressed.

1. The property owner's NOI is required by City Ordinance § 14-5-2-11, but was missing from your submittal. NOI information was provided for Barnsley Construction, LLC, NPDES ID # NMR1007FM. According to property tax records, Geltmore & Goyim LLC. owns this 1.5-acre tract. Property rights may have changed hands recently; if so, please provide documentation in the form of a recorded deed or lease. The correct name and contact information for the entity controlling the property rights are required on the Information Sheet, the NPDES documentation, the SWPPP, and the ABQ_PLAN contacts.
2. The individual signing the certification statement at the end of the NOI must be a responsible corporate officer per the EPA's Construction General Permit (CGP) Part G.11.1. Provide documentation in the form of the Operating Agreement (AKA Certificate of Formation or Certificate of Organization) demonstrating that the member signing the NOI meets the CGP requirements. The officer may delegate their signatory authority to another member or an employee of the LLC in accordance with CGP G.11.1.2 for the signing of the remaining SWPPP documents and required reports.
3. This site is part of a 1.5-acre subdivision, which is a "Common Plan of Development or Sale" (CPODS) as defined in Appendix A of the CGP. Every part of the CPODS requires coverage under the CGP. Each property owner must have a Stormwater Pollution Prevention Plan (SWPPP) and submit their NPDES documentation to the EPA and the City 14 days before any land-disturbing activity and 14 days prior to purchasing disturbed property. Property owners may share a common SWPPP, but each is responsible for their own areas of control.
4. It seems likely that the current property owner is responsible for all of the demolition activity on this 1.5-acre tract before McDonald's takes control of their part of this CPODS. The location of the existing buildings and other structures to be demolished must be shown on an ESC Plan per CGP 7.2.4.b.i., whether on the current property owners, Geltmore & Goyim LLC, or McDonald's. Show the limits of demolition for each operator-owner, and identify the anticipated "Conditions for Terminating CGP Coverage" per CGP 8.2 for each owner/operator. Each property owner's ESC Plan and SWPPP must include a sequence/schedule identifying



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when and where control of the property changes from one operator to another, and the scope of work for each. Each owner/operator must file a separate NOI with the EPA and make a separate SWQ submittal to ABQ_PLAN, though they may share one SWPPP.

5. If McDonald's conducts any "construction support activity" on the adjacent lot to the south, that activity must be shown on McDonald's ESC Plan per CGP7.2.4.b.vii, and the NOI for that adjacent property owner is required with the McDonald's resubmittal in ABQ-PLAN, and it must remain active until construction and stabilization are complete.
6. A note on the ESC Plan says, "A SWPPP shall be prepared for McDonald's by others," which implies this isn't McDonald's ESC Plan, and the plan doesn't show the work that will be under the control of the current property owner either. Since each owner is required to prepare a SWPPP before filing an NOI, please include the owner/operator's name(s) on the ESC Plan.
7. The existing and proposed grades are not adequately defined on the ESC Plan to determine drainage patterns as required by CGP 7.2.4.f. The existing and proposed grades must be shown on the ESC Plan and agree with the Grading Plan approved by Hydrology.
8. The SWPPP must include site-specific interim and permanent stabilization per CGP 9.6.1.c.i. The Landscape Plan can be used to satisfy this requirement and should be submitted separate from the ESC Plan with the SWQ resubmittal in ABQ_PLAN and included in the SWPPP. Provide a specification on the ESC Plan for any disturbed areas not covered by the Landscape Plan and specify a "Landscape Buffer Swale" between the sidewalk and curb, per "COA DWG 2414," along Acoma and Eubank Frontage.
9. The frontage improvements along Acoma Rd must be included in the Limits of Disturbance.
10. Update the engineer's stamp date on all sheets whenever a plan changes on any sheet to reflect the engineer's review of the impact across all sheets.

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

Sincerely,

James D. Hughes

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