



January 17, 2024

El Paso County Planning Department **Via e-mail + EDARP upload**

Subject: Eagle Rising SP205 Preliminary Plan Reinstatement

We appreciate the progress achieved in our meeting on November 28, 2023. See the attached Meeting Results Summary that I sent previously by email on December 1<sup>st</sup>.

We are responding in EDARP to all Engineering and Planning comments through the last round of County review comments plus from the November meeting. We are including our "EDARP Review Comment Tracker for the Preliminary Plan Reinstatement" to ensure that we have responded to all County review comments. Our responses and updated documents constitute a complete Applicant response.

The upload to EDARP includes the following:

- Eagle Rising MDDP/Preliminary Drainage Report, January 4, 2024
- Eagle Rising Preliminary Plan, December 18, 2023 V1.5
- Deviation Request Creek Vegetative Protection, January 4, 2024
- Deviation Request Cul-de-Sac Private Road Length, January 4, 2024
- Deviation Request Private Road Cross Section & Profile, January 4, 2024
- This response to comments letter including November 28, 2023 Meeting Results Summary, and the EDARP Review Comment Tracker, January 17, 2024.

We have included three deviations requests for approval with the Preliminary Plan documents to move forward with the Final Plat Filing No. 1. We request that if there are questions or comments about the documents that have been uploaded to EDARP, that we first meet with the reviewing staff and management to achieve resolution prior to a formal EPC written response. After we meet please provide a written response in the additional EPC column provided on the Comment Tracker for any unresolved item.

However, our responses fully address all EPC comments, our three deviation requests are complete and justified, and we have met the requirements set forth in the August 24, 2013 BOCC Resolution.

Therefore, Meggan please administratively approve Eagle Rising Preliminary Plan Reconsideration in total.

Respectfully submitted,

NEXT LEVEL DEVELOPMENT, INC.

A handwritten signature in blue ink that reads "Wayne M. Timura".

Wayne M. Timura, P.E.  
Principal



**Meeting Results Summary – Distributed Via e-mail only**

Project:	Eagle Rising: SP205 + SF2225	Meeting No.:	2
Client/Owner:	MyPad, Inc. / CASAS LP #4 & IQ Investors, LLC	Date:	11/28/2023
Prepared By:	Wayne Timura	Start Time:	13:00
Participants:	Development Team: Steve Jacobs, Stephen Jacobs, Dave Gorman, Duncan Bremer, and Wayne Timura El Paso County: Meggan Herington, Justin Kilgore, Ryan Howser, Josh Palmer Elizabeth Nijkamp, and Jeff Rice		
Location:	PCD Pikes Peak Room 2880 International Circle, Colorado Springs, CO 80910		
Distribution to:	Participants via e-mail only		

**Note:** The following represents our understanding of the topics/Comments discussed during the meeting, decisions made, Comments resolved, and actions required and to occur following this meeting. Please notify us in the event of any oversight, omissions and/or disagreement by December 8, 2023.

**LEGEND:** R-Resolved O/C- Open/Closed

11.3.2023 Plan Tracker No.	Preliminary Plan Key Open Comments and Summary Results/Resolution	Responsibility	R	O/C
Prelim Plan Comment 54	Lots 16 & 17 Limits of Construction: Keep Limits of Construction Disturbance line as shown and also label as No Build. Geologic Hazards Note on the Preliminary Plan uploaded to EDARP 11.3.2023 already added that Downslope Creep (DCS) areas require engineered mitigation in the area of disturbance. A note will be added on the Preliminary Plan that if construction crosses into DSC areas and/or Limits of Construction Disturbance / No Build line, an engineered site plan will be required.	Gorman	R	O
Prelim Plan Comments 3 & 55	Lots 7,8,9,10 & 11 Limits of Construction: Keep limits of Construction Disturbance line as shown which is 2 feet above the 100-year water surface elevation (WSE) and also label as No Build. Acceptance to be based on the statement that the existing well established willows and other vegetation will be maintained when needed subject to a Maintenance Agreement that will be recorded. Note that these lots are NOT in a FEMA Flood Plain. FEMA allows construction at 1' above a 100-year Flood Plain so out of abundance of caution 2' above the WSE was used. This language will be included in Section 4.1 in a revised MDMP which will be uploaded to EDAP. Nijkamp/Palmer to review for acceptance.	Gorman	R	O
Prelim Plan Comments 7,8,10,24	Preliminary Drainage Report / Prelim Plan: Channel maintenance access and stabilization. Note that the Eagle Rising Development will not add to the stormwater flow in the creek.			

**Commercial Real Estate, Development and Construction Management**

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	<p>A drawing showing and labeled Creek Access that is in the Final Drainage Report was presented. Appropriate drainage easements will also be labeled Access Easements to the creek. This eliminates construction of 15 foot access roadways. This meets the intent of ECM 3.3.3.k.2.</p> <p>Gorman provided Jeff Rice information and calculations to support that the existing well established willow vegetation yields Froude numbers typically less than 0.3 with only a few that ranging from 0.3 to 0.62 and therefore not supercritical flow except at the dam overflow spillways for the two on-channel ponds. These spillways are protected with rip-rap. Rice to review the new calculations and information provide in the next few days to verify and approve. Rice to connect with Gorman/Timura if needed.</p> <p>A map in the appendix of both drainage reports and the deviation request will be added to the to show photo locations on the map.</p> <p>Revised drainage reports will be uploaded to EDARP for Rice and EPC Team to review.</p>	Gorman	R	O
		Gorman, Rice	O	O
Prelim Plan Comment 4	<p>Private Gravel Road Deviation with cross section was provide and shown. Rice to review what was uploaded to EDARP on 11.3.2023. A Deviation update will be uploaded to EDARP. Note that the BFFD fire trucks have used this Cul-de-Sac without a problem with grade or size.</p> <p>Approve deviation requested.</p>	Gorman	O	O
		Rice to review. Palmer to approve	O	O
	<p>Once the Engineering comments are satisfied to meet the requirements set forth in the BoCC Resolution. Administrative Approval of the Preliminary Plan is requested.</p>	Palmer to verify.	R	O
		Herrington to Approve	R	O

11.20.2023 PLAT Tracker No.	Final PLAT Brief discussion of Key Open Comments and Summary Results/Resolution	Responsibility	R	O/C
Final PLAT Comments 11,36	Kurie Road Cul-de-Sac: Shown on Preliminary Plan but Not Required on Plat. Previously resolved on 10/25/23. An additional Plat Note for Lot 10 will be proposed.	Nijkamp to review and verify	O	O
Final PLAT Comments	Geological Hazards Requirements for Final Plat based on the Entech report. See Plat Note 18		R	C

21,27				
Final PLAT Comment 45	Lots 3 & 4 Corral fence straddle lot lines. See Plat Note 19		R	C
Final PLAT Comment 46	Lot 6 Existing Barn is allowed as pre-existing. Okay per Kilgore 10.25.2023 meeting. See Plat Note 20.		R	C
Final PLAT Comment 47	Lot 7 has existing accessory structures. Per Kilgore 10.25.2023 meeting add a note that no building permits can be obtained on this lot before a building permit for a principal residence is issued. See Plat Note 21		R	C
Final PLAT Comment 49	It's understood that the Black Forest Fire District will not review or comment except for their standard compliance note. Fire Protection Report was uploaded to EDARP 11.20.2023.		R	C
Final PLAT Comment 52	Private Road/Cul-de-Sac length. Deviation Request uploaded on 11.20.2023 to EDARP. The deviation does not negatively impact any fire safety or other safety considerations. Note that the BFFD already serves lots 6 and 7 and the associated existing structures from the end of the public Eagle Wing Drive Cul-de-Sac and the private road Cul-de-Sac. Palmer indicated that he is willing to approve and understands that the Black Forest Fire District will not review or comment.	Palmer	R	O

<b>EPC Review Process Topics and Summary Results</b>	<b>Responsibility</b>	<b>O/C</b>
<p>1. Review and Request of EPC Organization Chart</p> <p>Overall EPC Overall Organization Chart provided by Herrington by e-mail to Timura after the meeting who forwarded it to the developer team.</p> <p>It would be helpful if organization charts could be provided with names and positions for Planning and Public Works.</p>	Herrington/Palmer	C
<p>1. Policies and Procedures</p> <p>2.1 Define EPC Review Process</p> <p>2.2 Define process to update Engineering Criteria Manual and Land Development Code</p> <p>2.2.1 Community Code Boards</p> <p>2.3 Dispute Resolution Policy before present to BoCC</p> <p>2.3.1 Methods</p> <p>3<sup>rd</sup> party panel</p> <p>Pay outside consultant acceptable to both parties, loser pays</p> <p>Baseball settlement</p> <p>An RFP was issued to qualified consultants November 1, 2023 to evaluate and update the EPC Land Development Code including evaluation and</p>	Herrington/Palmer	C

<p>update of all zoning and subdivision regulations and procedures. Award is expected in December 2023 with a completion and implementation goal within 24 months. Meggan Herrington will consider the above items and provided a copy of the RFP by e-mail to Timura after the meeting who forwarded it to the developer team.</p>		
<p>2.4 Quality Review Procedure                  2.4.1 County Engineer Responsible for all engineering comments                  2.4.2 Commitment to Continuous Quality Improvement (CQI)</p> <p>2.5 Steve Jacobs suggested to utilize incentives                  2.5.1 Require oath of allegiance to US and Colorado Constitutions as condition of employment                  Continuing education                  2.5.2 Pay for Performance                  Enterprise?</p>	<p>Palmer/Herrington</p>	<p>O</p>
<p>Upload recording of the meeting.</p>	<p>Howser</p>	<p>C</p>
<p>Next Meeting Scheduled for 12.12.2023 at 2:30</p>	<p>Howser</p>	<p>C</p>

Respectfully Submitted,

NEXT LEVEL DEVELOPMENT, INC.



Wayne M. Timura, P.E.  
 Principal

Submittal Name:		EDARP Review Comments													
Project Name:		SP205 - Eagle Rising Preliminary Plan Reconsideration													
		Wednesday, January 17, 2024													
Previous Comment Number ID	New Comment Number ID	Document Submitted	Agency	Attachments	Reviewer Name	Reviewer Date	Redline Document	Page	Reviewer Comment	Applicants Disposition	Applicant Response Date	Document	Page	Applicant Comment/Response	El Paso County's Response to Applicant's Responses
1	1	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	1	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	C - Disapproved	1/17/2024	N/A	N/A	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>July 29, 2022 submittal not listed in EDARP</p> <p>Aug 30, 2022 responses not listed in EDARP as new files opened</p> <p>Curiously Comments, Red Herring comments received 3/1/2023 9:20:32 PM</p> <p>Preliminary Plan previously accepted</p> <p>Responses to EL Paso County comments are not considered a new submittal</p>	
2	2	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	1	1. If any revisions are proposed to the preliminary plan submit the updated Preliminary Plan. <b>Partially resolved; see remaining redlines regarding building areas.</b>	E - Answer provided	1/17/2024	N/A	N/A	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>No revisions to the Preliminary Plan proposed</p> <p>Two Minor clerical errors updated per comments #52 and #53</p> <p>Also noted that Jeff Rice added new additional comments #54 and #55 since his review on 2.3.23</p> <p>Geo Hazard Revised DSC Note to PORTIONS OF LOTS 16 &amp; 17 WITH DSC AREAS REQUIRE ENGINEERED MITIGATION IF THOSE AREAS ARE DISTURBED.</p> <p>Lots 7,8,9, &amp; 10 Limits of Construction: Keep limits of construction line shown which is 2 feet above 100 year water level. Acceptance to be verified by Palmer per 10/25/23 Meeting notes</p>	
3	3	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	1	<p>Preliminary Plan</p> <p>2. Conversations and meetings were held regarding platting lots that include portions of the Cottonwood Creek channel without channel stabilization improvements. See email dated November 7, 2022 in which two options were provided:</p> <p>a. Move the current filing's lots out of the 300' buffer, as to not do any creek improvements.</p> <p>b. Leave the lots where they are and identify what creek improvements are needed where the lots encroach into the 300' [buffer].</p> <p>Resolution of the option chosen is needed specifically for Lots 7-11. Location of the buffer is open for discussion but needs to be based on appropriate analyses, including the previous M&amp;S prudent line analysis.</p>	C - Disapproved	1/17/2024	N/A	N/A	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>No Engineering Criteria cited</p> <p>Preliminary Plan shows option B. No creek improvements are needed.</p> <p>Do not agree with 300' buffer</p> <p>Engineering analysis by MVE stated in the Master Development Drainage Plan / Preliminary Drainage Report confirms that no creek improvements are needed for Lots 7-11.</p> <p>Previous M&amp;S prudent line analysis is no longer applicable engineering design criteria. (cited from the in person meeting with El Paso County Engineering September 20, 2022 Elizabeth Nijkamp PE and Jeff Rice PE and Eagle Rising Team of Dave Jones LRA, Dave Gorman MVE, Duncan Bremer Attorney, Stephen Jacobs Jr PE MyPad)</p> <p>The appropriate channel stabilization exists within the creek consisting of placed boulders, established dense vegetations and pond embankments acting as grade controls and providing established wetlands on the site. Additionally, the report calls for stabilization at the pond emergency spillways. The Preliminary Plan shows option B, but creek improvements above those stated above are not needed where the lots extend closer than 300' from the stream.</p> <p>The 300' buffer associated with the Prudent Line procedures have been abandoned by the county as acknowledged in the in-person meeting with El Paso County September 20, 2022 with Elizabeth Nijkamp PE and Jeff Rice PE and Eagle Rising Team of Dave Jones LRA, Dave Gorman &amp; Chuck Crum MVE, Duncan Bremer Attorney, Stephen Jacobs Jr PE MyPad. The prudent line provisions and 300' buffer are not appropriate for this project. The stated requirement of the 300' buffer ignores the presence of dense established vegetation, the presence of the existing rock stabilization in the stream as shown in the report photos and the presence of the two pond embankments which have allowed wetlands to flourish in the creek as well as lack of any evidence that the stream is subject to meandering. We do not agree with the application of a 300' buffer on this project.</p> <p>Limits of construction line is shown 2 feet above the 100 year water level.</p> <p>Meeting Resolution and recorded with Meeting Notes on 10/25/23 with El Paso County Staff was Reolved with Keep limits of construction line shown which is 2 feet above 100 year water level. Acceptance to be verified by Palmer.</p>	
4	4	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	2	1. Provide deviation requests as needed. <b>Partially resolved; provide referenced cross-section exhibit with the deviation request. Unresolved; see fire district comments.</b>	E - Answer provided	1/17/2024	Deviation Request	9	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>The deviation request for private gravel road typical section has been revised to include the road section drawing mentioned in the request.</p> <p>Applicant's Additional Responses to 11/20/23 EPC comment</p> <p>See Deviation Request detailed response to fire safety in current upload</p>	
5	5	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	2	Due to the volume and complexity of these comments and additional information needed, Staff will provide additional, more detailed comments on the revised MDDP/Preliminary Drainage Report submittal upon review of the necessary information.	E - Answer provided	1/17/2024	N/A	N/A	<p><b>Comment removed with "No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC"</b></p> <p>Red Herring comment by Jeff Rice</p> <p>Comment is self-serving as El Paso County engineering apparently did not provide complete review of the submittal.</p> <p>Previous redlined review by Jeff Rice was responded to with complete information including revision matrix against all reviewer comments</p> <p>The submitted report included complete hydrologic calculations. The comments on the other parts of the report do not prevent review of the complete report.</p>	
6	6	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	2	Preliminary Drainage Report / Drainage Plans 2. See PDR redlines. Partially resolved; see updated/remaining redlines.	E - Answer provided	1/17/2024	N/A	N/A	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>Comments on the redline report have been addressed including the appendix and drawings.</p>	
7	7	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	2	<p>Preliminary Drainage Report / Drainage Plans</p> <p>3.Regarding the 4-step process including channel stabilization (Step 2 – "drainageways are required to be stabilized"), for the main channel and all tributary drainageways: Provide a complete hydraulic analysis of the channel and complete information on the proposed and ultimate channel stabilization improvements, including grade control and bank stabilization. Address all drainageways and pond spillways throughout the preliminary plan area. In accordance with DCM Section 1.4.2, some level of channel stabilization improvements will be required in areas of concern and a clearly defined maintenance agreement is necessary. Partially resolved;</p> <p>a. Provide options to address areas of potential channel instability that have been identified, including high velocities and Froude Nos. Partially resolved; see redlines. Discuss with Staff (including software that auto-calculates attributes for vegetation types).</p> <p>b. Additional information is needed, whether by a staff site visit or additional pictures, for some reaches of the channel. Unresolved. Unresolved.</p> <p>c. Additional information is needed for some of the tributary drainageways including areas where riprap has already been placed. Partially resolved; see redlines. Final details may be addressed in the applicable FDR.</p>	E - Answer provided	1/17/2024	Eagle Rising Master Development Drainage Plan / Preliminary Drainage Report Nov 2, 2023	various	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>a. Boulder stabilization exists in the creek. Existing vegetation provides adequate protection in all other locations. Additional riprap is to be provided at one existing pond spillway as indicated in the report. Results of USACE site visit in April 2023 yielded verbal recommendation that no disturbance of the creek should occur.</p> <p>b. Photos are contained within the report.</p> <p>c. Existing riprap at the tributary points within the proposed lots is shown on the Drainage Map.</p> <p>Meeting Resolution and recorded with Meeting Notes on 10/25/23 with El Paso County Staff was Reolved with:</p> <p>"Preliminary Drainage Report / Plans: Channel stabilization, maintenance access. Site visit by Palmer and LaForce, (excluding Rice), with Development Team members. Noted that the Eagle Rising Development will not add to the stormwater flow in the creek. Gorman to research to provide information to support that the existing well established willow vegetation can withstand 5 fps velocity. Then prepare a deviation request."</p>	
8	8	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	2	<p>Preliminary Drainage Report / Drainage Plans</p> <p>7. Discuss maintenance access provisions (for channels and BMPs), maintenance requirements and responsibility, and the Private BMP Maintenance Agreement and Easement that will be provided for the channel and any required PBMPs. Per criteria, a 15 foot wide access easement and an all-weather access road is required on each side of the main channel. Unresolved. Unresolved.</p>	E - Answer provided	1/17/2024	Eagle Rising Master Development Drainage Plan / Preliminary Drainage Report Nov 2, 2023	various	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>Drainage Criteria Manual County of El Paso 2018 2.2.2 Channelization "A stable natural channel reaches "equilibrium" over many years. Therefore, channel modifications should be minimal"</p> <p>The No-build Area/ Drainage Easement being provided for the creek coupled with the Drainage Easements provided at every lot line provide adequate access for the creek and pond areas. The pond embankments provide access to the east side of the creek. Additionally, maintenance will be performed as needed by the HOA and will not be a county obligation or concern.</p> <p>The creek has been stable for over 12+ years through 100 and 500/1,000 year storm cycles.</p> <p>Meeting Resolution and recorded with Meeting Notes on 10/25/23 with El Paso County Staff was Reolved with:</p> <p>"Preliminary Drainage Report / Plans: Channel stabilization, maintenance access. Site visit by Palmer and LaForce, (excluding Rice), with Development Team members. Noted that the Eagle Rising Development will not add to the stormwater flow in the creek. Gorman to research to provide information to support that the existing well established willow vegetation can withstand 5 fps velocity. Then prepare a deviation request."</p>	
9	9	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	2	<p>Preliminary Drainage Report / Drainage Plans</p> <p>8. Show all improvements including ditch erosion protection, culvert inlet and outlet protection details on the developed drainage plan and GEC Plan. Unresolved (the GEC plan can be provided with the final plat).</p>	C - Disapproved	1/17/2024	Eagle Rising Master Development Drainage Plan / Preliminary Drainage Report Nov 2, 2023	various	<p><b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b></p> <p>Existing improvements have been added to the Drainage Map and proposed improvement to one spillway has been added also. The existing culverts have protection installed and are shown on the map.</p>	

Previous Comment Number ID	New Comment Number ID	Document Submitted	Agency	Attachments	Reviewer Name	Reviewer Date	Redline Document	Page	Reviewer Comment	Applicants Disposition	Applicant Response Date	Document	Page	Applicant Comment/Response	El Paso County's Response to Applicant's Responses
10	10	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	2	Preliminary Drainage Report / Drainage Plans 9.The report states that a maximum permissible velocity of 5 fps was assumed (as per Table 10-4 of DCM 1). The 5 fps figures in that table are for reed canarygrass, tall fescue, and Kentucky bluegrass. These types of lining are essentially lawns. As stated in the footnote below the table, "Grass lined channels are dependent upon assurance of continuous growth and maintenance of grass." Without assured irrigation, these grass types may not be used for design; the designer must use 2.5 fps figure for design. Alternately, the designer may use Table 10-3, but as was stated earlier in the report, the soil types onsite are a sandy loam or loamy sand. The maximum mean velocity for sandy loam is also 2.5 fps, so the design value is 2.5 fps either way. The Soils and Geology Report states that flows of 3-4 fps may be allowable but vegetative linings may increase permissible velocities to 4-7 fps. Several lot line locations with flow velocities exceeding 5 fps are identified and it is stated that no improvements are proposed; these areas need to be addressed both in terms of long-term stabilization and maintenance by an entity other than individual property owners. The velocities discussed here apply to the main channel and roadside ditches as well. Partially resolved; a. See remaining redlines regarding channel stability. b. Statements regarding the channel meeting Constructed Wetlands Channel (CWC) requirements have been added to the report. The purpose of CWC is water quality treatment, which can't be done in jurisdictional wetlands. If CWC is being used as comparison for the existing channel, the requirements for bank and grade stabilization and maintenance access need to be provided accordingly.	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Nov 2, 2023	various	<b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC "</b>  Additional published information is provided in the report appendix for justification of calculated velocities being permissible in the existing creek without requirement of disturbance and additional improvements. Report text updated to state that the existing ponds serves the function of constructed wetland facilities.  Meeting Resolution and recorded with Meeting Notes on 10/25/23 with El Paso County Staff was Reolved with: "Preliminary Drainage Report / Plans: Channel stabilization, maintenance access. Site visit by Palmer and LaForce, (excluding Rice), with Development Team members. Noted that the Eagle Rising Development will not add to the stormwater flow in the creek. Gorman to research to provide information to support that the existing well established willow vegetation can withstand 5 fps velocity. Then prepare a deviation request."	
11	11	N/A	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:25	SP-20-005 – Eagle Rising Fifth Submittal (2022/2023 fourth review)	3	<b>1. See deviation request redlines. Address all criteria that apply.</b>	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Nov 2, 2023	various	<b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC '</b>  All structures present on the site are shown on the drainage maps.	
12	12	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	17	See comment below and comment memo.  Highlighted	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	12	<b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b> Not a comment because actual comment is on the next page. See response to comment #13.  Applicant's Additional Responses to 11/20/23 EPC comment Removed all instances of comparison to CWC. Report text has been clarified to indicate the existing improvements provide function similar to the desired results of CWC See response to comment #13.	
13	13	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	18	Grade control structures, bank stabilization and maintenance access would need to be provided to make this statement. See comment memo.  This designation is still being used out of context. See comment memo. The purpose of CWC is water quality treatment, which can't be done in jurisdictional wetlands. see comments above and memo	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	19	The channel is a natural channel whose functions are consistent with Constructed Wetland Channel (CWC) - Sediment Facility. This stretch of Cottonwood Creek is not and is not intended to be a CWC. The report text has been updated to clarify. Also relates to Comment Memo (Comment #10).  Removed all instances of comparison to CWC. Report text has been clarified to indicate the existing improvements provide function similar to the desired results of CWC. Also relates to Comment Memo (Comment #10).	
17	14	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	23	(same as previous redlines)  (unresolved previous redlines)	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	28	See response in comment #13  Removed all instances of comparison to CWC. Report text has been clarified to indicate the existing improvements provide function similar to the desired results of CWC.	
23	15	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	187	(same as previous redlines)  (unresolved previous redlines)	C - Disapproved	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	N/A	<b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b> See pictures provided in the 2022 and 2023 Master Development Drainage Plan / Preliminary Drainage Reports See pictures provided in ERO Natural Resources Assessment Eagle Rising Subdivision  Applicant's Additional Responses to 11/20/23 EPC comment The highlighted area is actually a depression with a berm located to the west of the depression. This area will pond in extreme conditions then overflow to over the riprap spillway once sufficient depth is achieved.	
24	16	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	187	Purple lines are parallel to areas of the channel Staff would like pictures of or site visit to see	C - Disapproved	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	multiple	See Photo #3 and #4 for Design Point 84 See Photo #16 and #17 for Design Point 104 See Photo #18, #19, and #20 for Design Point 124 See Photo #25 and #26 for Design Point 126  See pictures provided in ERO Natural Resources Assessment Eagle Rising Subdivision  Meeting Resolution and recorded with Meeting Notes on 10/25/23 with El Paso County Staff was Reolved with: "Preliminary Drainage Report / Plans: Channel stabilization, maintenance access. Site visit by Palmer and LaForce, (excluding Rice), with Development Team members. Noted that the Eagle Rising Development will not add to the stormwater flow in the creek. Gorman to research to provide information to support that the existing well established willow vegetation can withstand 5 fps velocity. Then prepare a deviation request."	
26	17	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	187	flow path following contours?	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	202	No. This is a side channel for extreme conditions. Flowpath for spillway on map  The highlighted area is actually a depression with a berm located to the west of the depression and slopes uphill to the south now shown by topo. This area will pond in extreme conditions then overflow to over the riprap spillway once sufficient depth is achieved.	
27	18	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	187	what keeps flow from going this way?	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	202	The grade and the berm. See new topo lines  The existing grades south of the site and an existing berm create an area of extended ponding if the pond overflows the spillway. Once sufficient depth is achieved, ponded water will exit over the riprap spillway.	
28	19	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	189	Areas of concern are highlighted	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	204	Sources indicating the calculated velocity can be considered within acceptable range has been added to the appendix.  The Hydraulic Analysis has been updated to account for dense vegetation in the creek and results are revised. Spillway locations are the only areas having Froude Numbers greater than 1.0 and higher velocities. Additionally, sources indicating the calculated velocity can be considered within acceptable range has been added to the appendix.  Also see pages 109 and 22 for explanation	
47	20	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	197	Address if stabilization is needed here	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	219	<b>No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC</b> No additional stabilization required. Highland Park 3 drainage improvements have eliminated almost all flow from Highland Park. Area is vegetated.  Applicant's Additional Responses to 11/20/23 EPC comment No additional stabilization required here. Highland Park 3 drainage improvements have eliminated almost all flow from Highland Park which now flows to a channel and pipe and enters the creek south of the site. Area is heavily vegetation and any past erosion is ceased. A photo of the area is included in the appendix and discussion added to the report on pg 11.	

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54	21	Preliminary Plan Eagle Rising	PCD Engineering Division	Yes	Jeff Rice	9/29/2023 3:59:36 PM 11/20/2023 1:29:18 PM	(preliminary plan redlines)	1	9/29/2023 3:59:36 PM Limits of construction should follow behind the DSC line here?  11/20/2023 1:29:18 PM Limits of construction should follow behind the DSC line here? If not, an engineered site plan should be required.	E - Answer provided	1/17/2024	Eagle Rising Prel Plan 12-18-2023 V1.5	2	No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC  internal EPC comment? question mark seems to indicate an internal EPC comment  No Engineering Criteria cited.  El Paso Engineering comment not included in Jeff Rice review on 3/2/2023. Ryan Howser comment from 2/3/2023 is now a Jeff Rice comment on 3/2/2023.  See Downslope Creep Areas pg 12 Entech Soil, Geology, Geologic Hazard Study "These areas are acceptable as building sites . . ." Mitigation also listed  Mitigation measures exist and can be Engineered. See EPC Land Development Code 8.4.2.B.3 "overcome through the application of specialized engineering or mitigation".  No change in Limits of Construction.  Meeting Resolution and recorded with Meeting Notes on 10/25/23 with El Paso County Staff was Resolved with additional clarification note added "WITH DSC AREAS REQUIRE ENGINEERED MITIGATION IF THOSE AREAS ARE DISTURBED."  <u>Applicant's Additional Responses to 11/20/23 EPC comment</u> No-Build labels added Engineered Site Plan added to DSC note per 11/28/23 EPC in person meeting	
55	22	Preliminary Plan Eagle Rising	PCD Engineering Division	Yes	Jeff Rice	9/29/2023 3:59:36 PM 11/20/2023 1:29:18 PM	(preliminary plan redlines)	1	9/29/2023 3:59:36 PM Limits of construction/no-build area should be above top of bank and offset from the channel per previous analyses.  11/20/2023 1:29:18 PM Unresolved: Limits of construction/no-build area should be above top of bank and offset from the channel per previous analyses. Are Engineered site plans going to be required on all of these lots?	C - Disapproved	1/17/2024	Eagle Rising Prel Plan 12-18-2023 V1.5	N/A	No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC comment  "No Engineering Criteria cited.  El Paso Engineering comment not included in Jeff Rice review on 3/2/2023. Ryan Howser comment from 2/3/2023 is now a Jeff Rice comment on 3/2/2023.  Mitigation measures exist and can be Engineered. See EPC Land Development Code 8.4.2.B.3 "overcome through the application of specialized engineering or mitigation".  No change in Limits of Construction.  Meeting Resolution and recorded with Meeting Notes on 10/25/23 with El Paso County Staff was Resolved with Keep limits of construction line shown which is 2 feet above 100 year water level. Acceptance to be verified by Palmer."  <u>Applicant's Additional Responses to 11/20/23 EPC comment</u> No-Build lines provided on the Prelim Plan are adequate based on the hydraulic analysis and set at 2 feet above 100-year Water Surface Elevation from an abundance of caution. Prudent Line top of bank methodology is abandoned in DCM. Cottonwood Creek Setback, Drainage Easement and No-Build Area section 4.2.7 added to the Prelim Drainage Report.  Engineered site plans are not required	
	23	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	15	State whether erosion protection is needed.	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	16	No additional stabilization required here. Highland Park 3 drainage improvements have eliminated almost all flow from Highland Park which now flows to a channel and pipe and enters the creek south of the site. Area is heavily vegetation and any past erosion is ceased. A photo of the area is included in the appendix and discussion added to the report on pg 11.	
	24	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	24	see comment memo	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	24	Added new section 4.2.5 on pg 19 to address hydraulic parameters and updated information.	
	25	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	24	State that details and analysis will be provided with the applicable FDR	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	24	Added discussion and requested statement - Pg 19.	
	26	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	184	(DP104)	A - Approve	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	192	Added "DP104 to Pg 191 in the updated report	
	27	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	193	Label as areas of supercritical flow	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	-	These are no longer areas of supercritical flow according to the updated hydraulic analysis contained in the report.	
	28	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	199	regrading appears to be needed to direct flow into the spillway	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	-	The armored spillway is in the correct location and does not need grading. There is an area south and east of the spillway that is like an extension of the pond where overflows will pool, but then flow down the spillway once adequate depth is achieved. The Drainage map has been clarified to better show this condition.	
	29	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	199	Areas of concern	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	-	The Hydraulic Analysis has been updated to account for dense vegetation in the creek and results are revised. Spillway locations are the only areas having Froude Numbers greater than 1.0 and higher velocities.	
	30	Master Development Drainage Plan / Preliminary Drainage Report	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:28	(MDDP/PDR redlines)	210	Proposed	E - Answer provided	1/17/2024	Eagle Rising Master Developmentm Drainage Plan / Preliminary Drainage Report Jan 4, 2024	219	Added the word "Proposed" to the label on the plan.	
	31	Preliminary Plan Eagle Rising	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:29	(preliminary plan redlines)	1	Recommend deleting this line (previous redline was in PDR)	A - Approve	1/17/2024	Eagle Rising Prel Plan 12-18-2023 V1.5	1	Line removed	
	32	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	1	SP-20-005	A - Approve	1/17/2024	61145 Deviation Request-Creek Vegative Protection 2024.01.04	various	Added the file number SP-20-005	
	33	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	2	3.3.3.B, C, and K	E - Answer provided	1/17/2024	61145 Deviation Request-Creek Vegative Protection 2024.01.04	2	Deviation requested of ECM 3.3.3.B, ECM 3.3.3.C DCM Section 6.5.2, Table 10-4, 10.2.1  3.3.3.K.2 allows exclusion of the access roads for natural drainageways and access will be provided in lot line easements. 3.3.3.K is compliant and described in the Drainage Report.	
	34	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	2	3.3.3 B, C, K: Conformance with DCM1... ; DCM Sections 6.5.2, 6.5.3...	E - Answer provided	1/17/2024	61145 Deviation Request-Creek Vegative Protection 2024.01.04	2	Deviation requested of ECM 3.3.3.B, ECM 3.3.3.C DCM Section 6.5.2, Table 10-4, 10.2.1  3.3.3.K.2 allows exclusion of the access roads for natural drainageways and access will be provided in lot line easements. 3.3.3.K is compliant and described in the Drainage Report.	
	35	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	2	Eagle Rising Preliminary Plan	A - Approve	1/17/2024	61145 Deviation Request-Creek Vegative Protection 2024.01.04	2	Added	
	36	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	2	See PDR comments and memo	A - Approve	1/17/2024	61145 Deviation Request-Creek Vegative Protection 2024.01.04	2	Removed references to CWC.	
	37	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	2	regrade the riprap spillway?	E - Answer provided	1/17/2024	61145 Deviation Request-Creek Vegative Protection 2024.01.04	2	Regrading not required. The existing grades south of the site and an existing berm create an area of extended ponding if the pond overflows the spillway. Once sufficient depth is achieved, ponded water will exit over the riprap spillway.	

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	38	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	2	Assuming the existing vegetation is maintained.(?)	E - Answer provided	1/17/2024	61145 Deviation Request-Creek Vegetative Protection 2024.01.04	3	The existing vegetation is naturally occurring and self-regenerating and has been in place for many years. See added justification to this paragraph	
	39	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	3	This does not answer the question. Provide alternative hydraulic analysis methods/information for the vegetation proposed to be maintained.	E - Answer provided	1/17/2024	61145 Deviation Request-Creek Vegetative Protection 2024.01.04	3	Revised this paragraph and added more information on the proposed alternative. Natural channels require preservation not maintenance.	
	40	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	3	uncheck this	C - Disapproved	1/17/2024	61145 Deviation Request-Creek Vegetative Protection 2024.01.04	3	To remain checked. The ECM standard and by association, compliance with DCM Section 6.5.2 and Table 10-4, do not account for willows and sedges	
	41	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	4	As noted in Table 10-4, "Grass lined channels are dependent upon assurances of continuous growth and maintenance of grass."	C - Disapproved	1/17/2024	61145 Deviation Request-Creek Vegetative Protection 2024.01.04	4	Not a grass lined channel. Willows, sedges, rushes, reeds are not grasses listed in Table 10-4. Natural channel is self-regenerating and requires preservation not maintenance. Added more information, justification to this paragraph.	
	42	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	4	avoid(?)	A - Approve	1/17/2024	61145 Deviation Request-Creek Vegetative Protection 2024.01.04	4	Avoid added	
	43	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	40	Is this needed?	E - Answer provided	1/17/2024	61145 Deviation Request-Creek Vegetative Protection 2024.01.04	various	Removed the ECOS Cornerstone Estates information	
	44	61145 Deviation Request-Creek Vegetative Protection	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:26	(Deviation request redlines - reduced)	47	Add a title or cover sheet with description of this document and what it's for.	E - Answer provided	1/17/2024	61145 Deviation Request-Creek Vegetative Protection 2024.01.04	various	Documents Description Added	
	45	Eagle Rising SP205 Preliminary Plan Reinstatement Letter and Comment Response	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:34	(Comment response redlines for tracking)	2	to be verified	D - Resolution required	1/17/2024	-	-	Jeff Rice was not a participant at the 10/25/23 meeting awaiting Palmer's action from 10/25/23 1/15/2024 still awaiting Pamer's action	
	46	Eagle Rising SP205 Preliminary Plan Reinstatement Letter and Comment Response	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:34	(Comment response redlines for tracking)	2	not per Josh Palmer	D - Resolution required	1/17/2024	-	-	Jeff Rice was not a participant at the 10/25/23 meeting after 10/25/23 meeting, Josh Palmer changed his commitment. Owner will not allow Jeff Rice EPC on the property No EPC response noted	
	47	Eagle Rising SP205 Preliminary Plan Reinstatement Letter and Comment Response	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:34	(Comment response redlines for tracking)	2	Incorrect	C - Disapproved	1/17/2024	-	-	Jeff Rice was not a participant at the 10/25/23 meeting No engineering citation provided by Jeff Rice No EPC response noted	
	48	Eagle Rising SP205 Preliminary Plan Reinstatement Letter and Comment Response	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:34	(Comment response redlines for tracking)	4	not received?	C - Disapproved	1/17/2024	-	-	See EDARP Deviation Request Form uploaded 11/3/2023 3:31:23 PM No EPC response as of 1/15/24	
	49	Eagle Rising SP205 Preliminary Plan Reinstatement Letter and Comment Response	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:34	(Comment response redlines for tracking)	6	site visit needed	E - Answer provided	1/17/2024	-	-	Site visit has been scheduled on three occasions and El Paso County has not followed through Owner will not allow Jeff Rice EPC on the property Site visit not required as photos are sufficient	
	50	Eagle Rising SP205 Preliminary Plan Reinstatement Letter and Comment Response	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:34	(Comment response redlines for tracking)	7	How can flow travel upstream?	E - Answer provided	1/17/2024	-	-	Flow does not travel upstream	
	51	Eagle Rising SP205 Preliminary Plan Reinstatement Letter and Comment Response	PCD Engineering Division	Yes	Jeff Rice	11/20/2023 13:34	(Comment response redlines for tracking)	8	Address and analyze in report	E - Answer provided	1/17/2024	-	-	No written EPC response to applicant's 11/3/2023 response to 9/29/23 EPC No additional stabilization required. Highland Park 3 drainage improvements have eliminated almost all flow from Highland Park. Area is vegetated. Applicant's Additional Responses to 11/20/23 EPC comment No additional stabilization required here. Highland Park 3 drainage improvements have eliminated almost all flow from Highland Park which now flows to a channel and pipe and enters the creek south of the site. Area is heavily vegetation and any past erosion is ceased. A photo of the area is included in the appendix and discussion added to the report on pg 11.	