

**EROSION AND STORMWATER QUALITY CONTROL PERMIT (ESQCP)  
EL PASO COUNTY  
APPLICATION AND PERMIT**

PERMIT NUMBER \_\_\_\_\_

**APPLICANT INFORMATION**

| Applicant Contact Information            |                                       |
|--|---------------------------------------|
| Owner                                    | Colorado Springs 382 Ltd. Partnership |
| Name (person of responsibility)          | Nathan Miller                         |
| Company/Agency                           | Colorado Springs 382 Ltd. Partnership |
| Position of Applicant                    | Managing Partner                      |
| Address (physical address, not PO Box)   | 6070 North Camino Almonte             |
| City                                     | Tucson                                |
| State                                    | Arizona                               |
| Zip Code                                 | 85718                                 |
| Mailing address, if different from above |                                       |
| Telephone                                |                                       |
| FAX number                               |                                       |
| Email Address                            | Miller.nate78@gmail.com               |
| Cellular Phone number                    | 719-244-1455                          |

**CONTRACTOR INFORMATION**

| Contractor                               |  |
|--|--|
| Name (person of responsibility)          | Ron O'Canna                            |
| Company                                  | Construction Management and Consulting |
| Address (physical address, not PO Box)   | 1191 Applewood Drive                   |
| City                                     | Colorado Springs                       |
| State                                    | CO                                     |
| Zip Code                                 | 80907                                  |
| Mailing address, if different from above |  |
| Telephone                                | 719-528-6999                           |
| FAX number                               |  |
| Email Address                            | rocanna@msn.com                        |
| Cellular Phone number                    | 719-499-3918                           |
| Erosion Control Supervisor (ECS)*        | Larry Lee- Raw Land Detailing          |
| ECS Phone number*                        |  |
| ECS Cellular Phone number*               | 719-661-4499                           |

\*Required for all applicants. May be provided at later date pending securing a contract when applicable.

**PROJECT INFORMATION**

| Project Specifications                   |  |
|--|--|
| Project Name                             | Overlot Grading and Erosion Control  |
| Legal Description                        | Lot 111, Cherry Creek Crossing Filing No. 1  |
| Address (or nearest major cross streets) | NW corner Hodgen Road and State Highway 83   |
| Acreage (total and disturbed)            | Total: 8.3 acres<br>Disturbed: 7.5 acres   |
| Schedule                                 | Start of Construction: February 2019<br>Completion of Construction: May 2019<br>Final Stabilization: June 2019 |
| Project Purpose                          | Overlot grade and install storm culvert to ready land for anticipate commercial site development activities    |
| Description of Project                   | Clear and grub, grade and compact imported fill to overlot elevation, extend culvert, surface revegetation     |
| Tax Schedule Number                      | 6122007015   |

**FOR OFFICE USE ONLY**

The following signature from the ECM Administrator signifies the approval of this ESQCP. All work shall be performed in accordance with the permit, the El Paso County Engineering Criteria Manual (ECM) Standards, City of Colorado Springs Drainage Criteria Manual, Volume 2 (DCM2) as adopted by El Paso County Addendum, approved plans, and any attached conditions. The approved plans are an enforceable part of the ESQCP. Construction activity, except for the installation of initial construction BMPs is not permitted until issuance of a Construction permit and Notice to Proceed.

Signature of ECM Administrator: \_\_\_\_\_ Date \_\_\_\_\_

## 1.1 REQUIRED SUBMISSIONS

In addition to this completed and signed application, the following items must be submitted to obtain an ESQCP:

- Permit fees
- Stormwater Management Plan (SWMP) meeting the requirements of DCM2 and ECM either as part of the plan set or as a separate document;
- Cost estimates of construction and maintenance of construction and permanent stormwater control measures (Cost estimates shall be provided on a unit cost basis for all stormwater BMPs);
- Financial surety in an amount agreeable to the ECM Administrator based on the cost estimates of the stormwater quality protection measures provided. The financial surety shall be provided in the form of a Letter of Credit, Surety with a Bonding Company, or other forms acceptable to El Paso County;
- Operation and Maintenance Plan for any proposed permanent BMPs; and
- Signed Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement, if any permanent Best Management Practices are to be located on site.

## 1.2 RESPONSIBILITY FOR DAMAGE

The County and its officers and employees, including but not limited to the ECM Administrator, shall not be answerable or accountable in any manner, for injury to or death of any person, including but not limited to a permit holder, persons employed by the permit holder, persons acting in behalf of the permit holder, or for damage to property resulting from any activities undertaken by a permit holder or under the direction of a permit holder. The permit holder shall be responsible for any liability imposed by law and for injuries to or death of any person, including but not limited to the permit holder, persons employed by the permit holder, persons acting in behalf of the permit holder, or damage to property arising out of work or other activity permitted and done by the permit holder under a permit, or arising out of the failure on the permit holder's part to perform the obligations under any permit in respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work, or other activity, or at any subsequent time work or other activity is being performed under the obligations provided by and contemplated by the permit.

To the extent allowed by law, the permit holder shall indemnify, save, and hold harmless the County and its officers and employees, including but not limited to the BOCC and ECM Administrator, from all claims, suits or actions of every name, kind and description brought for or on account of injuries to or death of any person, including but not limited to the permit holder, persons employed by the permit holder, persons acting in behalf of the permit holder and the public, or damage to property resulting from the performance of work or other activity under the permit, or arising out of the failure on the permit holder's part to perform his obligations under any permit in respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work, or other activity or at any subsequent time work or other activity is being performed under the obligations provided by and contemplated by the permit, except as otherwise provided by state law. The permit holder waives any and all rights to any type of expressed or implied indemnity against the County, its officers or employees.

## 1.3 NO ASSURANCE OF FUTURE LAND USE APPROVALS

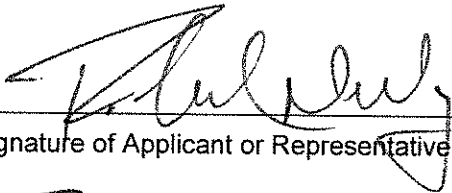
Approval of an ESQCP does not assure the permit holder or current or future property owner that any future permit or land use application will be approved, either administratively or by the BOCC, for the property to which this ESQCP applies, including but not limited to applications for rezoning, preliminary plan, final plat, special use, variance of use or site development plans. Furthermore, any work done pursuant to the ESQCP, including but

not limited to the installation of utilities, is done at the permit holder's and property owner's risk and may need to be altered, relocated, reconfigured or removed if so required pursuant to future permit or land use approvals. Any claims under detrimental reliance, estoppel or any other legal theory which purports to limit the future ability of El Paso County to review and act upon future permit or land use applications for the property to which this ESQCP applies are forever waived.

#### 1.4 APPLICATION CERTIFICATION

I, as the Applicant or the representative of the Applicant, hereby certify that this application is correct and complete as per the requirements presented in this application and the El Paso County Engineering Criteria Manual and Drainage Criteria Manual, Volume 2 and El Paso County Addendum.

I, as the Applicant or the representative of the Applicant, have read and will comply with all of the requirements of the specified Stormwater Management Plan and any other documents specifying stormwater best management practices to be used on the site including permit conditions that may be required by the ECM Administrator. I understand that the Best Management Practices are to be maintained on the site and revised as necessary to protect stormwater quality as the project progresses. I further understand that a Construction Permit must be obtained and all necessary stormwater quality control BMPs are to be installed in accordance with the SWMP and the El Paso County Engineering Criteria Manual and Drainage Criteria Manual, Volume 2 and El Paso County Addendum before land disturbance begins and that failure to comply will result in a Stop Work Order and may result in other penalties as allowed by law. I further understand and agree to indemnify, save, and hold harmless the County and its officers and employees, including but not limited to the BOCC and ECM Administrator, from all claims, suits or actions of every name, kind and description as outlined in Section 1.2 Responsibility for Damage.



Signature of Applicant or Representative

Date: 12/27/18

Richard N. Wenz

Print Name of Applicant or Representative

Kiowa Engineering