

# STATE OF COLORADO

John W. Hickenlooper, Governor  
Christopher E. Urbina, MD, MPH  
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.      Laboratory Services Division  
Denver, Colorado 80246-1530      8100 Lowry Blvd.  
Phone (303) 692-2000      Denver, Colorado 80230-6928  
Located in Glendale, Colorado      (303) 692-3090  
<http://www.cdph.state.co.us>



Colorado Department  
of Public Health  
and Environment

January 17, 2012

Mr. Larry Buckendorf  
Journey Homes CS, LLC  
825 Citadel Drive East, Suite 275  
Colorado Springs, Colorado 80909

Certified Mail Number: 7007 0220 0001 0162 1924

**RE: Expedited Settlement Agreement, Number: ES-120112-2  
CDPS Permit No: COR 03D961**

Dear Mr. Buckendorf:

Enclosed for your records you will find Journey Homes CS, LLC ("Journey Homes") copy of the recently executed Expedited Settlement Agreement ("ESA"). Please be advised that the first page of the ESA was changed in order to place the correct ESA Number on the final document. The ESA is now fully enforceable and constitutes a final agency action.

The Water Quality Control Division acknowledges receipt of Journey Homes' payment of the settlement amount and will move forward with payment processing.

If you have any questions, please don't hesitate to contact Joe Campbell at (303) 692-3176 or by electronic mail at [joseph.campbell@state.co.us](mailto:joseph.campbell@state.co.us).

Sincerely,

Russell Zigler, Legal Assistant  
Compliance Assurance Section  
WATER QUALITY CONTROL DIVISION

cc: El Paso County Public Health Department

ec: Natasha Davis, EPA Region VIII  
Nathan Moore, Permits Unit, CDPHE

Enclosure(s)



Colorado Department of Public Health & Environment  
Water Quality Control Division

## EXPEDITED SETTLEMENT AGREEMENT

Number: ES-120112-2

The Colorado Department of Public Health and Environment (“Department”), through the Water Quality Control Division (“Division”), issues this Expedited Settlement Agreement (“ESA”), pursuant to the Division’s authority under §§25-8-602, 25-8-605 and 25-8-608, C.R.S. of the Colorado Water Quality Control Act (the “Act”) §§25-8-101 to 703, C.R.S., and its implementing regulations, with the express consent of Journey Homes CS, LLC (“Journey Homes”). The Division and Journey Homes may be referred to collectively as “the Parties.”

1. Journey Homes is a “person” as defined under the Water Quality Control Act, §25-8-103(13), C.R.S. and its implementing permit regulation, 5 CCR 1002-61, §61.2(73).
2. Journey Homes is conducting construction activities to build a single family residential development, located in or near the City of Falcon, El Paso County, Colorado (the “Project”).
3. Journey Homes, as described in the attached inspection report, failed to comply with the provisions of its Colorado Discharge Permit System General Permit for Stormwater Discharges Associated with Construction Activity (the “Permit”), Certification Number COR-03D961.
4. The parties enter into this ESA in order to resolve the matter of civil penalties associated with the violation(s) alleged herein and in the attached inspection report for a penalty of \$28,125.00.
5. By accepting this ESA, Journey Homes neither admits nor denies the violations or deficiencies specified herein and in the attached inspection report.
6. Journey Homes certifies that all deficiencies identified in the attached inspection report have been corrected and that the Project is currently in full compliance with the terms and provisions of the Permit. Additionally, Journey Homes has attached to this ESA: (1) a written description detailing how the deficiencies were corrected; and (2) representative photographs documenting the current conditions and the associated BMPs implemented at the Project.
7. Journey Homes agrees to the terms and conditions of this ESA. Journey Homes agrees that this ESA constitutes a notice of alleged violation and an order issued pursuant to §§25-8-602, 25-8-605 and 25-8-608, C.R.S., and is an enforceable requirement of the Act. By signing the ESA, Journey Homes waives: (1) the right to contest the finding(s) specified herein and in the attached inspection report; and (2) the opportunity for a public hearing pursuant to §25-8-603, C.R.S.
8. This ESA is subject to the Division’s “Public Notification of Administrative Enforcement Actions Policy,” which includes a thirty-day public comment period. The Division and Journey Homes each reserve the right to withdraw consent to this ESA if comments received during the thirty-day period result in any proposed modification to the ESA.

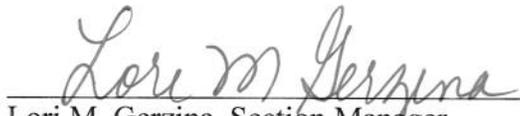
9. This ESA constitutes a final agency order or action upon the date when the Executive Director or his designee signs the ESA and effectively imposes the civil penalty.
10. Journey Homes agrees that within fifteen (15) calendar days of receiving the signed and final ESA from the Division, Journey Homes shall submit a certified or cashier's check drawn to the order of the "Colorado Department of Public Health and Environment," for the amount specified in paragraph 4 above, to:
 

Joe Campbell  
 Colorado Department of Public Health and Environment  
 Water Quality Control Division  
 Mail Code: WQCD-CAS-B2  
 4300 Cherry Creek Drive South  
 Denver, Colorado 80246-1530
11. Notwithstanding paragraph 5 above, the violations described in this ESA will constitute part of Journey Homes' compliance history for purposes where such history is relevant. This includes considering the violations described above in assessing a penalty for any subsequent violations against Journey Homes. Journey Homes agrees not to challenge the use of the cited violations for any such purpose.
12. This ESA, when final, is binding upon Journey Homes and its corporate subsidiaries or parents, their officers, directors, employees, successors in interest, and assigns. The undersigned warrant that they are authorized to legally bind their respective principals to this ESA.

**ACCEPTED BY JOURNEY HOMES CS, LLC:**

|   |                                   |
|---|-----------------------------------|
| <br>_____<br>Signature | 10/12/11<br>_____<br>Date         |
| LARRY S. BUCKENDORF<br>_____<br>Name (printed)  | GENERAL COUNSEL<br>_____<br>Title |

**FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT:**

|  |                        |
|--|------------------------|
| <br>_____<br>Lori M. Gerzina, Section Manager<br>Compliance Assurance Section<br>WATER QUALITY CONTROL DIVISION | Date: 1/12/12<br>_____ |
|--|------------------------|

# STATE OF COLORADO

Bill Ritter, Jr., Governor  
Martha E. Rudolph, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

January 14, 2011

Larry Buckendorf, Owner/Partner  
Journey Homes CS LLC  
825 Citadel Drive East, Suite 275  
Colorado Springs, CO 80909

CERTIFIED NO: 7005 0390 0004 4797 4852

RE:    Facility Inspection/**Compliance Advisory**  
      Metropolitan Club  
      CDPS Permit No. COR-03D961  
      El Paso County

Dear Mr. Buckendorf,

An inspection of the above-referenced facility was conducted by the Water Quality Control Division (the Division) on December 21, 2010. The inspection procedure consists of two parts: a review of records, and an on-site facility inspection. Findings associated with the inspection are detailed in the enclosed inspection report.

The Division expects Journey Homes CS LLC to correct the findings noted in the enclosed inspection report and submit an explanation on how each finding was corrected. Pursuant to Part II.B.2 of the Colorado Discharge Permit System General Permit for Stormwater Discharges Associated with Construction Activity (the permit), Journey Homes CS LLC must submit the requested materials to the Colorado Department of Public Health and Environment, WQCD-P-B2, 4300 Cherry Creek Drive South, Denver, CO 80246-1530, Attn: Matt Czahor, by **February 14, 2011**.

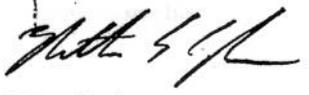
Note: All applications, reports, and other information requested by the Division must be signed in accordance with the provisions of sections 61.4(1)(e) and (f) of Regulation No. 61, and must contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

This Compliance Advisory is intended to advise you of possible violations of the Colorado Water Quality Control Act, its implementing regulations and permits, so that you may take appropriate steps to avoid or mitigate formal enforcement action. This Compliance Advisory does not constitute a Notice of Violation or Cease and Desist Order and is not subject to appeal. However, the issuance of this Compliance Advisory does not limit or preclude the Division from pursuing its enforcement options. The Division is currently evaluating the facts and if a formal enforcement action is deemed necessary, you may be issued a Notice of Violation / Cease and Desist Order that may include the assessment of penalties.

If you have any questions, please call me at (303) 692-3575.

Sincerely,



Matt Czahor  
Environmental Protection Specialist  
Colorado Water Quality Control Division

Enclosures

- cc: Aaron Urdiales, EPA region 8
- El Paso County Health Department
- File Copy

## Stormwater Inspection Report

|   |                                      |  |
|---|--------------------------------------|--|
| <b>Permittee:</b> Journey Homes CS LLC  | <b>Cert. No.</b> COR03D961           | <b>Date(s):</b> 12/21/2010   |
| <b>Facility:</b> Metropolitan Club  | <b>Industrial Type:</b> Construction | <b>Receiving Water:</b> unnamed tributary to Black Squirrel Creek (Segment 4c of the Middle Arkansas River Sub-basin, Arkansas River Basin, found in the <u>Classifications and Numeric Standards for the Arkansas River Basin</u> (Regulation No. 32) |
| <b>Facility Address:</b> Stapleton Drive and Lambert Drive Falcon, Colorado                           |                                      |  |
| <b>Persons present:</b> None  |                                      |  |
| <b>Legally Responsible Person(s)/Title(s):</b> Larry Buckendorf (Owner/Partner, Journey Homes CS LLC) |                                      | <b>Inspector(s)</b> Matt Czahor (WQCD)   |

### Inspection Findings

Pursuant to all provisions of the Colorado Discharge Permit System General Permit for Stormwater Discharges Associated with Construction Activity (Permit), the findings below must be corrected.

#### Records Review

1. On the Permit application Journey Homes CS LLC designated Jared St. Aubyn (Journey Homes CS LLC, Project Manager) as the Legal and Local Contact for the Metropolitan Club project covered under Permit certification number COR03D961. However, when the Division inspector tried to contact Jared St. Aubyn on 12/20/2010 to schedule the inspection an employee for Journey Homes CS LLC indicated that Jared St. Aubyn was no longer an employee of Journey Homes CS LLC. Journey Homes CS LLC must submit to the Division a Change of Contact form indicating the updated Legal and Local Contacts for Permit certification number COR03D961.
2. The effective date for Permit certification number COR03D961 was 6/24/2008. On 12/22/2010 the Division inspector sent an email to Larry Buckendorf's attention requesting that Journey Homes CS LLC provide the date that Journey Homes CS LLC began its land disturbing activities associated with the construction activities covered under Permit certification number COR03D961. To date, the Division has not received the requested date. Journey Homes CS LLC must submit to the Division the date that Journey Homes CS LLC began its land disturbing activities associated with the construction activities covered under Permit certification number COR03D961.
3. A copy of the Stormwater Management Plan (SWMP) was retained onsite. The date the SWMP was prepared was July 2008, as indicated on the first page of the SWMP. A copy of the SWMP that was retained onsite and reviewed by the Division inspector on 12/21/2010 must be submitted to the Division.
4. The date the SWMP was last updated was 7/8/2009, as indicated in a notation made on Sheet # 4 of the SWMP. The SWMP has not been updated since 7/8/2009. The SWMP was reviewed and found to be inadequate for the following reasons:
  - a) The SWMP Site Map inadequately identified all areas of ground surface disturbance as required by Part I.C.2.b of the permit. The Site Map identifies Lots 67-72 as being seeded and mulched. However, during the inspection it was noted that Lots 67-72 were all disturbed and had large sediment stockpiles located on them. In addition, the Site Map identifies lots 58-66 as disturbed and under construction. However, during the inspection it was noted that lots 58-66 all had completed homes on them with landscaping and sod in place. The SWMP site map must be updated to include this information.
  - b) The SWMP Site Map inadequately identified all areas used for storage of building materials, equipment, soil or waste as required by Part I.C.2.d of the permit. The Site Map identifies Lots 67-72 as being seeded and

mulched. However during the inspection it was noted that Lots 67-72 were all disturbed and had large sediment stockpiles located on them. In addition, the Site Map identifies a trash dumpster located on lot 78. However, it was noted during the inspection that a dumpster was not located on Lot 78 and a trash dumpster was not observed anywhere else during the inspection. The SWMP site map must be updated to include this information.

- c) The SWMP Site Map inadequately located all non-structural Best Management Practices (BMPs) as required by Part I.C.2.g of the permit. The Site Map located seeding and mulching BMPs implemented on lots 67-72. However, it was noted during the inspection that Lots 67-72 were all disturbed and had large sediment stockpiles located on them. No evidence of seeding and mulching was observed on lots 67-72. The SWMP Site Map must be updated to include this information.
- d) The SWMP did not identify a SWMP administrator, a specific individual(s), person or title who is responsible for developing, implementing, and revising the SWMP as required by Part I.C.3.a. of the permit. The activities and responsibilities of the administrator shall address all aspects of the facility's SWMP. The SWMP administrator must be identified.
- e) The SWMP Stormwater Management Controls included an inadequate section for Structural Practices for Erosion and Sediment Control implemented at the site, as required by Part I.C.3.c.1 of the permit. It was noted during the inspection that rock sock inlet protection devices, a concrete washout, and a secondary containment vessel for the fuel tank were structural BMPs implemented on site. However, the SWMP did not include installation and implementation specifications for the rock sock inlet protection devices, the concrete washout, or the secondary containment vessel for the fuel tank. The SWMP must be updated to include installation and implementation specifications for all structural BMPs being implemented on site. All installation and implementation specifications must be developed in accordance with good engineering, hydrologic and pollution control practices.
- f) The SWMP Stormwater Management Controls included an inadequate section for Non-Structural Practices for Erosion and Sediment Control implemented at the site, as required by Part I.C.3.c.2 of the permit. The SWMP included two different installation and implementation specifications for mulching. For example, Appendix C of the SWMP includes an El Paso County specification for mulching that indicates that mulch should be applied to all disturbed areas "21 days after final grade". The SWMP also includes an Urban Drainage Criteria Manual Volume 3 specification for mulching that indicates that mulch should be applied to all disturbed areas "within 14 days after final grade is reached". It is not clear which installation and implementation specification for mulching is being followed. The SWMP must be updated to include one specific set of installation and implementation specifications for each BMP implemented on site, or the SWMP must provide detail on how each different installation and implementation specification is being applied.
- g) The SWMP Stormwater Management Controls included an inadequate section for Materials Handling and Spill Prevention as required by Part I.C.3.c.4 of the permit. The Materials Handling and Spill Prevention portion of the SWMP was located in section 3.2.3 of the SWMP titled, "Spill Prevention Control and Counter Measures." This section of the SWMP included only a statement indicating the following; "Instructions and materials/equipment for spill clean-up procedures shall be readily available on the construction site. This includes spill kits, employee training records involving spill clean-up procedures, and appropriate counter measures." However, none of the above mentioned items were included, or further described, in the SWMP. In addition, it was noted during the inspection that spill kits were not found at the fuel tank located on Lot 95. Spill kits were also not found anywhere else on site. The SWMP must clearly describe and locate all practices implemented at the site to minimize impacts from significant materials that could contribute pollutants to runoff. Areas or procedures where potential spills can occur must have spill prevention and response procedures identified in the SWMP. The SWMP must be updated to include this information.
- h) The SWMP did not include a Final Stabilization and Longterm Stormwater Management section as required by

Part I.C.4 of the permit. The SWMP must clearly describe the practices used to achieve final stabilization of all disturbed areas at the site and any planned practices to control pollutants in stormwater discharges that will occur after construction operations have been completed at the site. The SWMP must be updated to include this information.

5. The inspection records were retained onsite. The inspection records were reviewed and found to be inadequate for the following reasons:

- a) Part I.D.6 of the Permit requires that inspections must be performed at least once every 14 calendar days, and post storm events inspections must be conducted within 24 hours after the end of any precipitation or snowmelt event that causes surface erosion. The 14 day inspection frequency required by the permit was exceeded on 2 occasions for the inspections that were conducted between 5/6/2009 and 6/23/2010. The first inspection was conducted on 5/6/2009. No inspections were conducted prior to 5/6/2009. The last inspection was conducted on 6/23/2010. No inspections have been conducted from 6/23/2010 to 12/21/2010 (the date of the Division's inspection). If inspections were not conducted for this facility prior to 5/6/2009 and after 6/23/2010 then a written explanation as to why inspections were not conducted must be submitted to the Division, including a description of what steps will be taken to ensure that inspections are conducted in the future. If inspections have been conducted for this facility prior to 5/6/2009 and after 6/23/2010 then you must submit copies of those inspection records to the Division.
- b) Part I.D.6.b of the Permit requires that inspection reports include a date, or dates, when corrective actions were taken, and the measures taken to prevent future violations. The inspection reports for inspections conducted on 5/12/2010, 5/26/2010, 6/9/2010, and 6/23/2010 identified the need for corrective actions, but failed to include a date, or dates, when corrective actions were taken, and the measures taken to prevent future violations.

### Facility Inspection

Note: Stormwater runoff from the areas identified in the below findings discharges into down gradient storm sewer inlets. The storm sewer system then discharges stormwater runoff into one of two detention ponds. The first detention pond is located in the northeast section of Tract A and will be referred to as Detention Pond 1. The second detention pond is located at the northern most point of Tract 40 and just south of Lot 130. The second detention pond will be referred to as Detention Pond 2. Stormwater from Detention Ponds 1 and 2 discharges through culverts under Eastonville Road, toward the southeast, into an unnamed tributary, ultimately to Black Squirrel Creek.

Note: Detention Ponds 1 and 2 were not included in the SWMP for this facility and are not under the operational control of Journey Homes CS LLC. The ponds are owned and operated by another entity(ies); however, an agreement granting Journey Homes CS LLC permission to utilize the ponds as stormwater controls, and to ensure proper operation and maintenance of the ponds, was not included in the SWMP.

Note: All BMPs mentioned in the below findings must be installed according to installation and implementation specifications outlined in the SWMP. These specifications must be developed in accordance with good engineering, hydrologic and pollution control practices.

6. It was noted during the inspection that inadequate BMPs were implemented to manage stormwater runoff from the land disturbance and sediment stockpiles located on Lots 67-72 (see photos 1-4). Stormwater runoff from this disturbed area discharges to a down gradient storm sewer inlet located along Shinnecock Court. The storm sewer discharges to Detention Pond 2. A series of curb check rock socks in combination with a plastic pipe wrapped in fabric were placed together in front of the storm sewer inlet to act as an inlet protection device. Inlet protection devices are not designed to function as the sole BMP to remove sediment loading from stormwater runoff coming from the up-gradient disturbed areas. Inlet protection BMPs are intended to be used in conjunction with up gradient BMPs and only as a polishing measure, not as the primary sediment removal device. No other BMPs were implemented up gradient from the inlet protection device for the disturbed area. BMPs to manage the stormwater runoff from the disturbed areas must be

implemented up-gradient of the storm drain inlet to be used in conjunction with the inlet protection device in order for the inlet protection device to function correctly. All BMPs must be implemented according to installation and implementation specifications outlined in the SWMP.

7. It was noted during the inspection that inadequate BMPs were implemented to manage stormwater runoff from the land disturbance located between the straw mulching and the concrete curbing on Lots 8-57 and Lots 78-97 (see photos 9-15). Stormwater runoff from these disturbed areas discharges to down gradient storm sewer inlets. The storm sewer discharges to either Detention Pond 1 or 2. A series of curb check rock socks in combination with a plastic pipe wrapped in fabric were placed together in front of the storm sewer inlets to act as an inlet protection device. In some cases, just a series of curb check rock socks were placed together in front of the storm sewer inlets to act as an inlet protection device. Inlet protection devices are not designed to function as the sole BMP to remove sediment loading from stormwater runoff coming from the up-gradient disturbed areas. Inlet protection BMPs are intended to be used in conjunction with up gradient BMPs and only as a polishing measure, not as the primary sediment removal device. No other BMPs were implemented up gradient from the inlet protection devices for the disturbed areas. BMPs to manage the stormwater runoff from the disturbed areas must be implemented up-gradient of the storm drain inlet to be used in conjunction with the inlet protection device in order for the inlet protection device to function correctly. All BMPs must be implemented according to installation and implementation specifications outlined in the SWMP.
8. It was noted during the inspection that inadequate BMPs were implemented to manage stormwater runoff from the land disturbance identified above in Findings 6 and 7. Stormwater runoff from these disturbed areas discharges to down gradient storm sewer inlets. The storm sewer discharges to either Detention Pond 1 or 2. A series of curb check rock socks in combination with a plastic pipe wrapped in fabric were placed together in front of the storm sewer inlets to act as an inlet protection device (see photo 7). The SWMP did not identify installation and implementation specifications for this type of inlet protection device. The inlet protection devices were not installed according to good engineering, hydrologic and pollution control practices. The inlet protection devices were constructed out of short rock socks that are designed to be used as curb checks, combined with a plastic pipe wrapped in fabric. The plastic pipe with fabric and the rock socks were falling into the inlet. Also, because the plastic pipe with fabric and rock socks are not designed to fit together, there were gaps between them exposing the inlet opening. In addition, the inlet protection devices were not inspected and maintained in good and effective operating condition. In several locations, the plastic pipe was smashed and the fabric was torn. In some cases, just a series of curb check rock socks were placed together in front of the storm sewer inlets to act as an inlet protection device (see photos 8 and 23). The SWMP did not identify installation and implementation specifications for this type of inlet protection device. The inlet protection devices were not installed according to good engineering, hydrologic and pollution control practices. The inlet protection devices were constructed out of short rock socks that are designed to be used as curb checks. The rock socks were not joined together to create a cohesive barrier, they were just placed end to end in front of the inlet opening. Consequently, the rock socks were falling into the inlet and there were gaps between them exposing the inlet opening. All BMPs must be implemented according to installation and implementation specification outlined in the SWMP, and must be inspected and maintained in good and effective operating condition. All installation and implementation specifications outlined in the SWMP must be developed in accordance with good engineering, hydrologic and pollution control practices.
9. It was noted during the inspection that inadequate BMPs were implemented to inspect and maintain in good and effective operating condition the straw mulching BMPs implemented at various locations on the project. In some locations the straw mulch was not crimped into the ground and the straw mulch had blown away and left behind areas of exposed disturbed land (see photos 16-18). There was also evidence that vehicles had been driving on the straw mulched areas. In addition, Appendix C of the SWMP includes an El Paso County specification for mulching that indicates that, "mulch is to be replaced immediately for those areas it has been removed". All BMPs implemented at the facility must be inspected and maintained in good and effective operating.
10. It was noted during the inspection that BMPs were not implemented to ensure that concrete/mason washout activities do not result in the contribution of pollutants associated with the washing activity to stormwater runoff. A designated concrete washout area was located on Lot 8. However, the concrete washout area was not being utilized to contain all the concrete/mason washout waste material. Concrete/mason washout waste was discharged to the ground in two locations

on Lot 72 (see photos 5 and 6). BMPs were not implemented at Lot 72 to ensure that the concrete/mason washout waste did not result in the contribution of pollutants associated with the washing activity to stormwater runoff. As a result, there was potential to contribute pollutants from the concrete washout waste to stormwater runoff that discharges to a down gradient storm sewer inlet located along Shinnecock Court. The storm sewer discharges to Detention Pond 2. BMPs must be implemented to ensure that concrete washout activities do not result in the contribution of pollutants associated with the washing activity to stormwater runoff.

11. It was noted during the inspection that inadequate BMPs for materials handling and spill prevention were implemented for a fuel tank located on Lot 95 (see photos 19 and 22). Part I.D.1.c of the Permit requires that bulk storage structures for petroleum products and any other chemical shall have secondary containment or equivalent adequate protection so as to contain all spills and prevent any spilled material from entering State waters. The fuel tank was placed inside a containment vessel BMP. The containment vessel BMP had holes in it, and therefore could not provide the required secondary containment of the fuel in the event of a spill. (see photos 20 and 21). It should also be noted that the fuel tank was placed approximately 35 feet away from a storm sewer inlet (see photo 23). Stormwater runoff from the fuel tank area discharges 35 feet to the east into a storm inlet. The storm sewer discharges to Pond 2. Adequate BMPs must be implemented to provide secondary containment or equivalent adequate protection for bulk storage structures of petroleum products and any other chemicals so as to contain all spills and prevent any spilled material from entering State waters.

# Site Photographs

Journey Homes CS LLC  
Metropolitan Club  
El Paso County, Colorado

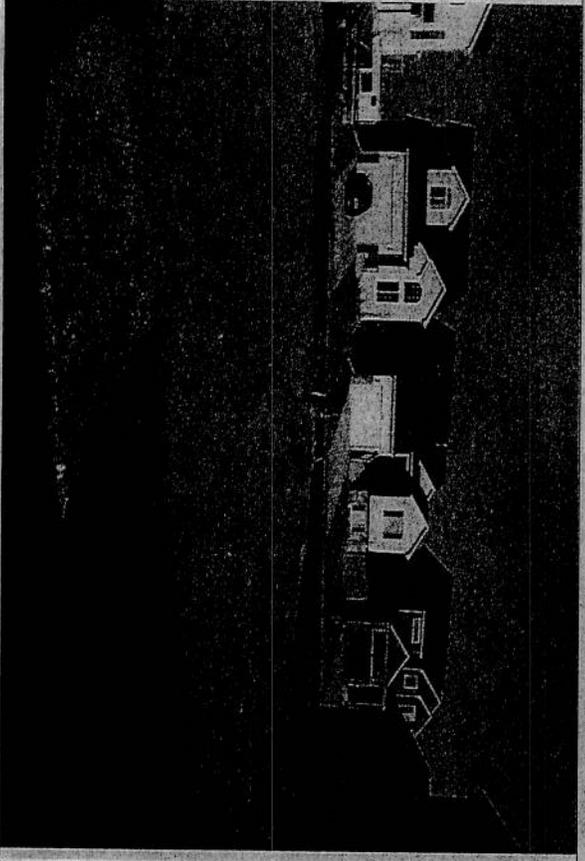
Photograph date: 12/21/2010



Photograph 1 – Looking southeast Lots 67-72. Red arrows indicate direction of flow



Photograph 2 – Looking east Lots 67-72. Red arrows indicate direction of flow



Photograph 3 – Looking northeast Lot 72. Red arrows indicate direction of flow



Photograph 4 – Looking west Lots 67-72. Red arrows indicate direction of flow

# Site Photographs

Journey Homes CS LLC  
Metropolitan Club  
El Paso County, Colorado

Photograph date: 12/21/2010



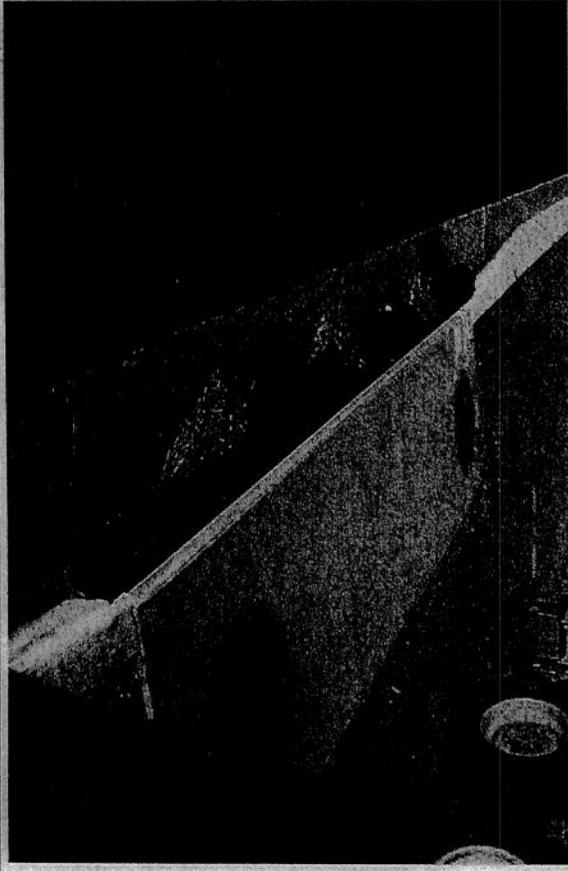
Photograph 5 - Lot 72 concrete/mason waste and mixing sand



Photograph 6 - Lot 72 concrete/mason waste



Photograph 7 - Curb inlet west of intersection of Dakota Dunes Ln and Shinnecock Ct

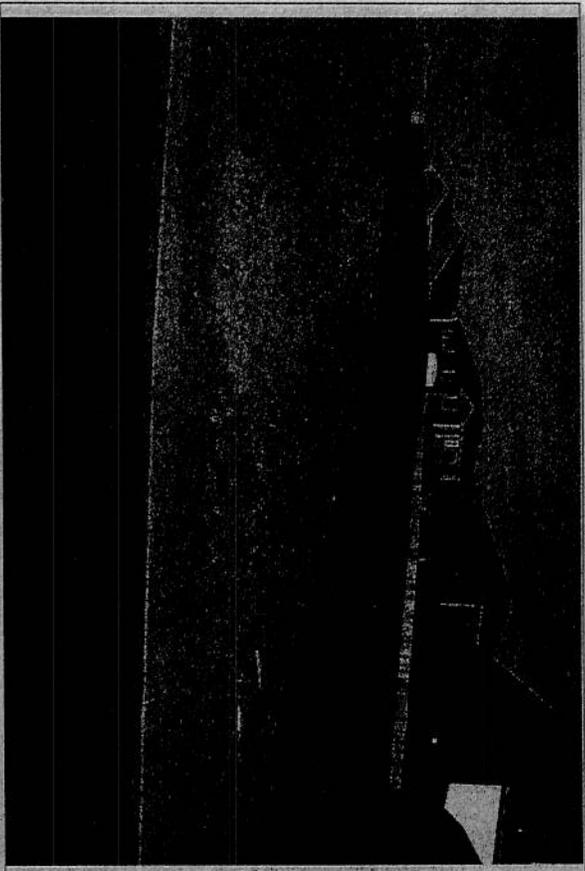


Photograph 8 - Curb inlet located adjacent to Lot 12

**Site Photographs**

Journey Homes CS LLC  
Metropolitan Club  
El Paso County, Colorado

Photograph date: 12/21/2010



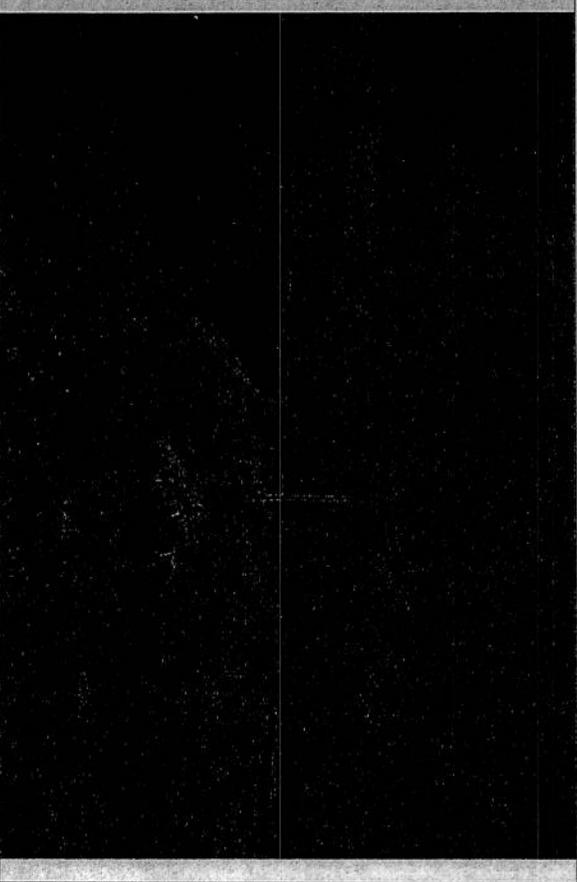
Photograph 9 - Lot 78 land disturbance



Photograph 10 - Lot 78 land disturbance



Photograph 11 - from Lot 78 looking northeast, land disturbance on east side of Dakota Dunes Ln



Photograph 12 - looking north from Lot 87, land disturbance on all lots, both sides of Dakota Dunes Ln.

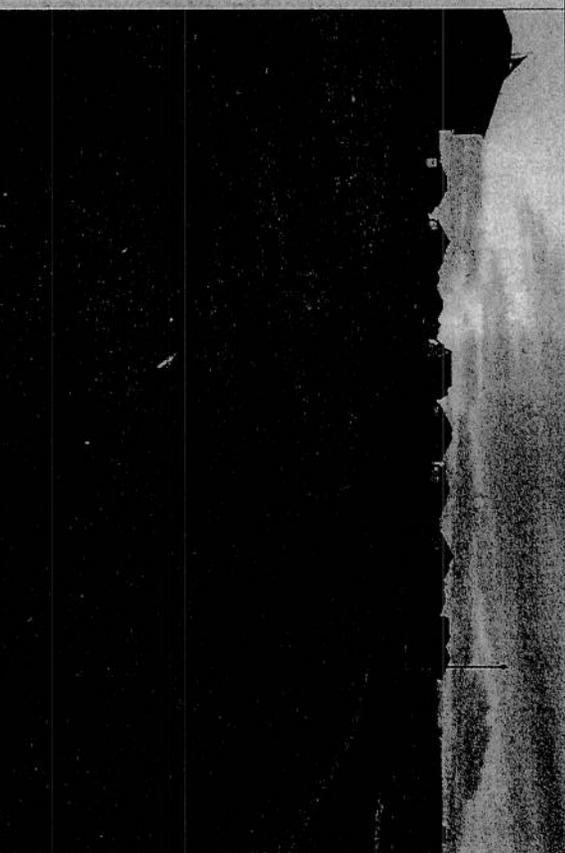
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Metropolitan Club  
El Paso County, Colorado

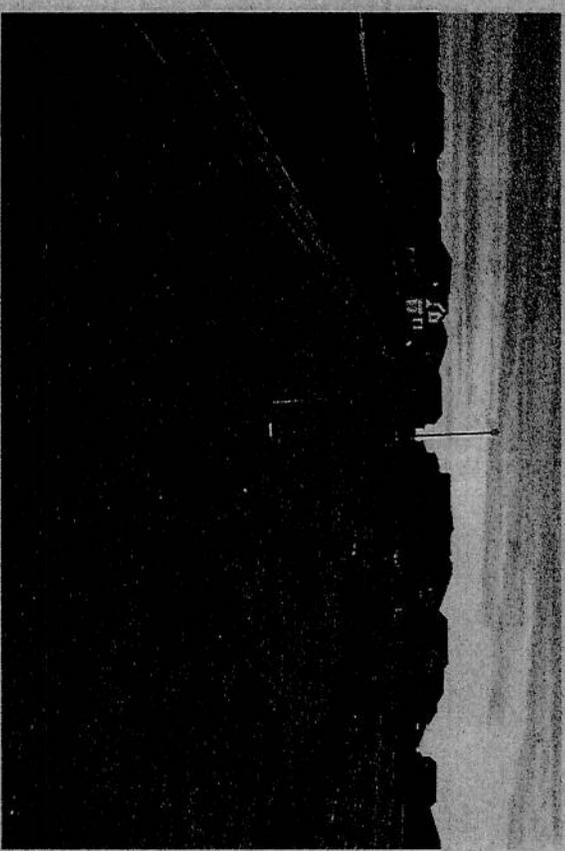
Photograph date: 12/21/2010



Photograph 13 - Lot 57 looking north, land disturbance on all Lots on west side of Dakota Dunes Ln



Photograph 14 - Lot 52 looking west, land disturbance on all Lots in culdesack and both sides of road.



Photograph 15 - Lot 90 looking south, land disturbance on all Lots on both sides of Portmarnock Ct.



Photograph 16 - Lot 56 looking north

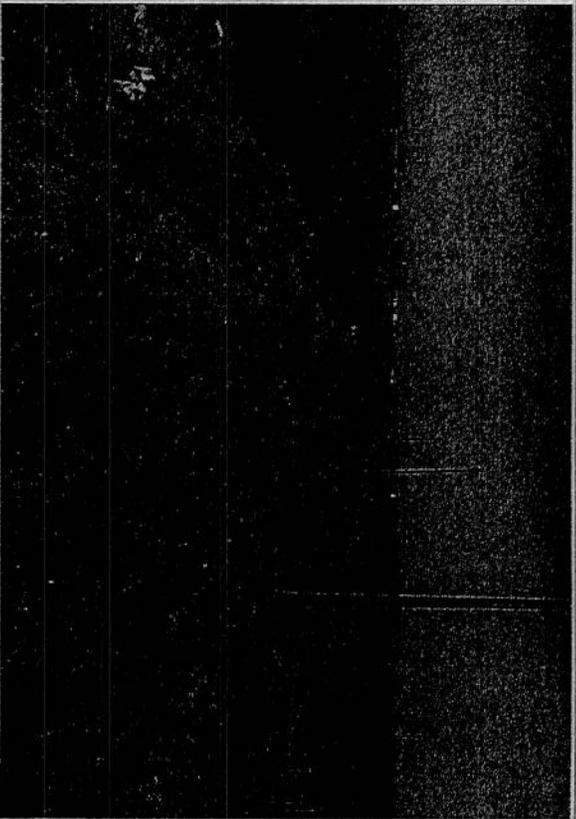
# Site Photographs

Journey Homes CS LLC  
Metropolitan Club  
El Paso County, Colorado

Photograph date: 12/21/2010



Photograph 17 - Lot 40 looking west



Photograph 18 - Lot 39 looking east



Photograph 19 - Lot 95, fuel tank inside containment vessel



Photograph 20 - red arrow points to hole in containment vessel

# Site Photographs

Journey Homes CS LLC  
Metropolitan Club  
El Paso County, Colorado

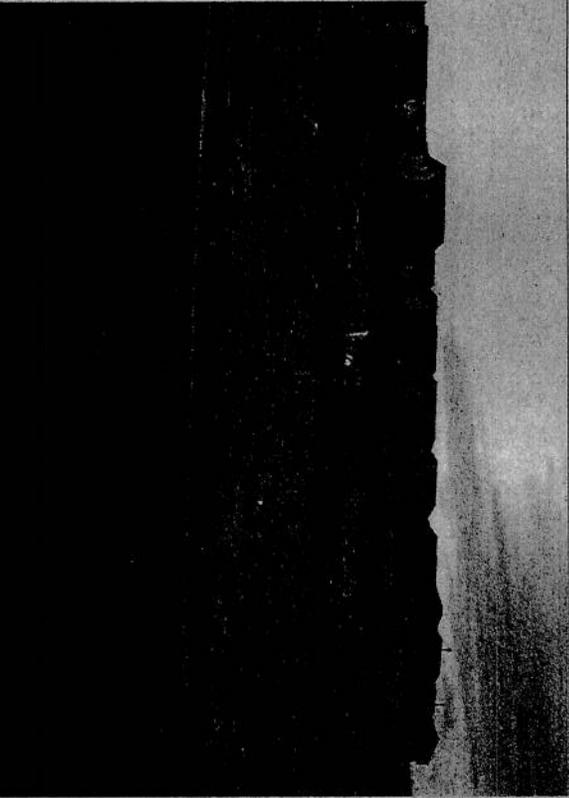
Photograph date: 12/21/2010



Photograph 21 - Red arrow points to hole in containment vessel



Photograph 22 - fuel tank located at Lot 95



Photograph 23 - Red arrow indicates flow direction