

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.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

May 31, 2011

Steven C. Jennison
Steve Jennison, Inc.
8122 Southpark Lane, Suite 210
Littleton, CO 80120

Certified Mail Number: 7005 1820 0000 32081067

**RE: Expedited Settlement Agreement, Number: ES-110531-1
CDPS Permit No: COR-03E687**

Dear Mr. Jennison:

Enclosed for your records, you will find Steve Jennison, Inc.'s 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. As specified in the enclosed ESA, Steve Jennison, Inc. must, within fifteen (15) calendar days, submit a certified or cashier's check for the amount specified in the ESA to the Water Quality Control Division in order for this matter to be resolved.

If you have any questions, please don't hesitate to contact me at (303) 692-3598 or by electronic mail at michael.harris@state.co.us.

Sincerely,

Michael Harris
Enforcement Unit
Compliance Assurance Section
WATER QUALITY CONTROL DIVISION

cc: Gilpin County Public Health and Environmental Services

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

Enclosure(s)



Colorado Department of Public Health & Environment
Water Quality Control Division

EXPEDITED SETTLEMENT AGREEMENT

Number: ES-110531-1

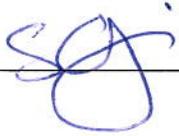
The Colorado Department of Public Health and Environment (“Department”), through the Water Quality Control Division (“Division”), issues this Expedited Settlement Agreement (“ESA”), pursuant to the Division’s authority under §§25-8-602, 25-8-605 and 25-8-608, C.R.S. of the Colorado Water Quality Control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

1. Steve Jennison, Inc. 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. Steve Jennison, Inc. was conducting construction activities of a water storage tank located in or near the Town of Black Hawk, Gilpin County, Colorado (the “Project”).
3. Steve Jennison, Inc. 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-03E687, as described in the attached inspection report (Attachment A).
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 \$7,500.00.
5. By accepting this ESA, Steve Jennison, Inc. neither admits nor denies the violations or deficiencies specified herein and in the attached inspection report.
6. Steve Jennison, Inc. 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, Steve Jennison, Inc. 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. Steve Jennison, Inc. agrees to the terms and conditions of this ESA. Steve Jennison, Inc. 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, Steve Jennison, Inc. 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 Steve Jennison, Inc. 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. Steve Jennison, Inc. agrees that within fifteen (15) calendar days of receiving the signed and final ESA from the Division, Steve Jennison, Inc. 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:

Michael Harris
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 Steve Jennison, Inc.'s 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 Steve Jennison, Inc. Steve Jennison, Inc. agrees not to challenge the use of the cited violations for any such purpose.
- 12. This ESA, when final, is binding upon Steve Jennison, Inc. and its corporate subsidiaries or parents, their officers, directors, successors in interest, and assigns. The undersigned warrant that they are authorized to legally bind their respective principals to this ESA.

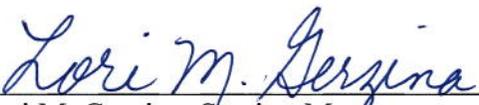
ACCEPTED BY STEVE JENNISON, INC.:

Signature  Date 3/28/2011

STEVEN C. JENNISON PRESIDENT

Name (printed) Title

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT:

 Date: 5/31/11

Lori M. Gerzina, Section Manager
Compliance Assurance Section
WATER QUALITY CONTROL DIVISION

Attachment A

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

November 8, 2010

William Canterbury, Project Manager
Steve Jennison Inc., dba Jennison Construction Co Inc
8122 Southpark Land, Suite 210
Littleton, CO 80120

CERTIFIED NO: 7005 1820 0000 3207 1419

RE: Facility Inspection/**Compliance Advisory**
Water Storage Tank Construction
CDPS Permit No. COR-03E687
Gilpen County

Dear Mr. Canterbury,

An inspection of the above-referenced facility was conducted by the Water Quality Control Division (the Division) on September 17, 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 Steve Jennison Incorporated 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), Steve Jennison Incorporated 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: Nicole Rolfe, by **November 24, 2010**.

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."

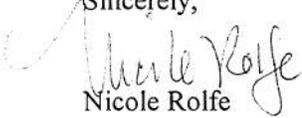
This Compliance Advisory is intended to advise you of possible violations of the Colorado Water Quality Control Act, its implementing regulations and permits, so that you may take appropriate steps to avoid or mitigate formal enforcement action. This Compliance Advisory does not constitute a Notice of 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.

Attachment A

Steve Jennison Inc.
Page 2

If you have any questions, please call me at (303) 692-3217.

Sincerely,



Nicole Rolfe
Environmental Protection Specialist
Colorado Water Quality Control Division

Enclosures

cc: Aaron Urdiales, EPA region 8
Gilpin County Health Department
File Copy

Attachment A

Stormwater Inspection Report

Permittee: Steve Jennison, Inc. d/b/a Jennison Construction Company, Inc.	Cert. No. COR03E687	Date(s): 9/17/2010
Facility: Silver Gulch Water Storage Tank	Industrial Type: Construction	Receiving Water: Four Mile Gulch
Facility Address: 350 Avenue of the All Stars Black Hawk, CO		
Persons present: William (Bill) Canterbury (Project Manager, Steve Jennison, Inc. d/b/a Jennison Construction Company, Inc.)		
Legally Responsible Person(s)/Title(s): William (Bill) Canterbury (Project Manager, Steve Jennison, Inc. d/b/a Jennison Construction Company, Inc.)		Inspector(s) Nicole Rolfe (WQCD)

Inspection Findings

The Water Quality Control Division (Division) inspector held a closing conference at the conclusion of the inspection. During the closing conference, the inspector reviewed the inspection findings with the facility representative and instructed the representative to correct all findings. Pursuant to all provisions of the Colorado Discharge Permit System General Permit for Stormwater Discharges Associated with Construction Activity (the Permit), the findings below must be corrected.

Records Review

Note: The permit certification effective date was 12/30/2008 and the date that ground disturbing activities began was 1/2/2009 as provided by Bill Canterbury, (Project Manager for Steve Jennison, Inc. d/b/a Jennison Construction Company, Inc.).

Note: In a communication with the permittee prior to the inspection, the Division requested that a copy of the Stormwater Management Plan (SWMP) and inspection records be provided to Division personnel at the inspection. A copy of the SWMP was provided to the Division inspector on 9/17/2010 during the inspection. Copies of the inspection records were not provided to Division inspector at the time of the inspection. To date, the Division has not received copies of the inspection records.

1. A copy of the SWMP was retained onsite. The SWMP was reviewed and found to be inadequate for the following reasons:
 - a) The SWMP Site Description inadequately located and described all potential pollutant sources as required by Part I.C.1.f of the permit. The SWMP describes the potential pollutant sources to include vehicle maintenance and fueling, materials storage, haul roads, offsite vehicle tracking, and loading/unloading areas. The SWMP did not locate each of the described pollutant sources. In addition, the SWMP did not locate and describe the disturbed soils as a potential pollutant source. During the inspection disturbed soils were identified as a potential pollutant source. The SWMP site description must be updated to include the description and location of all potential pollutant sources.
 - b) The SWMP did not include a Site Map as required by Part I.C.2 of the permit. The SWMP must be updated to include this information.
 - c) The SWMP Stormwater Management Controls section did not identify a specific individual(s), person or title who is responsible for developing/ implementing/ 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.
 - d) The SWMP Stormwater Management Controls included an inadequate section for the Identification of all Potential Pollutant Sources, as required by Part I.C.3.b of the permit. The SWMP states the potential pollutant

Attachment A

sources include vehicle maintenance and fueling, materials storage, haul roads, offsite vehicle tracking, and loading/unloading areas. The SWMP did not identify the disturbed soils as a potential pollutant source. However, during the inspection disturbed soils were identified as a potential pollutant source. The SWMP must be updated to identify all potential pollutant sources.

- e) The SWMP Stormwater Management Controls included an inadequate section for the Structural Practices for Erosion and Sediment Control implemented at the site, as required by Part 1.C.3.c.1 of the permit. The SWMP identifies silt fence, rock check dams and/or sandbags, drainage swales and straw bales as the structural BMPs to be implemented at the site. The SWMP does not identify the retention pond or the water bars as BMPs being implemented on site. In addition, the SWMP does not include installation and implementation specifications for any the BMPs being implemented on site. Specifically, installation and implementation specifications were not provided for the retention pond, silt fence, hydromulch, and water bars. The SWMP must be updated to identify all structural practices being implemented on site and must include installation and implementation specifications for all structural BMPs being implemented on site.
- f) The SWMP Stormwater Management Controls included an inadequate section for the Non-Structural Practices for Erosion and Sediment Control implemented at the site, as required by Part 1.C.3.c.2 of the permit. The SWMP identifies preserving the existing vegetation and utilizing native seeding as non-structural BMPs being utilized on site. However, the SWMP does not identify the hydro mulch as a BMP being implemented on site. In addition, the SWMP does not include installation and implementation specifications for the hydro mulch. The SWMP must be updated to identify all non-structural BMPs implemented on site and must include installation and implementation specifications for all non-structural BMPs being implemented on site.
- g) The SWMP Stormwater Management Controls did not include a section for the Phased BMP Implementation, as required by Part 1.C.3.c.3 of the permit. The SWMP does not describe the relationship between the phases of construction, and the implementation and maintenance of both structural and non-structural stormwater management controls. The SWMP must be updated to include this information.
- h) The SWMP Stormwater Management Controls included an inadequate section for Materials Handling and Spill Prevention as required by Part 1.C.3.c.4 of the permit. The SWMP states material handling and spill prevention will follow OSHA requirements contained in 29 CFR 1926 Construction Industry Regulations. However, 29 CFR 1926 Construction Industry Regulation was not maintained with the SWMP and not available for review. If the permittee relies on 29 CFR 1926 Construction Industry Regulations, to determine compliance with the Materials Handling and Spill Prevention component of the SWMP, it must be maintained with SWMP.
- i) The SWMP Final Stabilization and Long-term Stormwater Management included an inadequate section for describing practices used to achieve final stabilization of all disturbed areas at the site, and any planned practices to control pollutants in stormwater discharges that that will occur after construction operations have been completed as required by Part 1.C.4.b of the permit. The SWMP states that final stabilization will be achieved with native seeding, and road base roadways. The SWMP does not include seed mix selection, seed application methods, soil preparation and amendments, and soil stabilization practices (e.g., crimped straw, hydro mulch, or rolled erosion control practices). The SWMP must be updated to include this information.
- j) The SWMP included an inadequate section for Inspection and Maintenance as required by Part 1.D.6.b of the permit. The SWMP states inspections will be performed at 14 day maximum increments or after precipitation or snowmelt has caused surface erosion. Inspection records were not provided to the Division inspector at the time of the inspection, nor were they submitted to the Division after the inspection. In accordance with Part 1.D.6.b.2 of the permit, the permittee must keep a record of inspections. If inspections were not conducted 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 then copies of these inspection records must be submitted to the Division.

Facility Inspection

Notes: 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.

2. It was noted during the inspection that inadequate BMPs were implemented to manage stormwater runoff from the disturbance located along the northeast boundary of the project, east of the constructed water tank. The cut slope had been hydro mulched. The SWMP did not identify installation and implementation specifications for the hydro mulch. The hydro mulch was not maintained in good and effective operating condition. Portions of the slope were bare and not covered by the hydro mulch. Vegetation was not established on the northeast cut slope (see photos 1 and 3). In addition, since the SWMP did not identify installation and implementation specifications for the hydro mulch, it was unclear whether the hydro mulch product was appropriate for the steepness of the slope. Stormwater runoff from this area discharges to the west to the existing parking lot located north of Avenue of the All Stars (see photo 1) and eventually to an offsite retention pond located further west and down-gradient (see photo 6). All BMPs must be implemented according to installation and implementation specifications 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 follow good engineering, hydrologic and pollution control practices.
3. It was noted during the inspection that inadequate BMPs were implemented to manage stormwater runoff from the area east of existing parking lot, west of the constructed head wall. Residual sediment from up-gradient disturbance (identified in finding 2) was observed at the east side of the parking lot (see photo 1 and 2). Silt fence was installed down-gradient of this area along the west edge of the parking lot. The SWMP did not identify installation and implementation specifications for silt fence. According to good engineering, hydrologic and pollution control practices, silt fence fabric should be trenched a minimum of six inches, staked on the down-gradient side of the fence, not installed in areas of concentrated flow, not installed to manage impervious drainage, and must not exceed $\frac{1}{4}$ acre drainage per 100 linear feet of silt fence. The silt fence was not installed according to good engineering, hydrologic and pollution control practices and was not inspected and maintained in good and effective operating condition. The silt fence was not correctly staked as the stakes were on the up-gradient side of the fence, the silt fence was not trenched into the ground, the silt fence was installed in an area of concentrated flow and down-gradient of an impervious area, the silt fence exceeded the $\frac{1}{4}$ acre per 100 linear feet of silt fence, and the silt fence was falling over (see photo 4). Stormwater runoff from this area discharges to the west onto private property and eventually to an offsite retention pond located further west and down-gradient (see photo 6). All BMPs must be implemented according to installation and implementation specifications 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 follow good engineering, hydrologic and pollution control practices.
4. It was noted during the inspection that BMPs were not implemented to manage stormwater runoff from the disturbance from the cut-slope side of the constructed access road located north of Avenue of the All Stars and south of the constructed water tank (see photo 5). Stormwater runoff from this area discharges into a drainage ditch located southwest of this area. The drainage ditch discharges into an offsite retention pond located down-gradient and to the west (see photo 6). BMPs must be implemented to manage stormwater runoff from all potential pollutant sources.
5. It was noted during the inspection that the offsite retention pond (identified in the drainage pathway in findings 2, 3, and 4) is not within the operation control of the permittee. As stated by Mr. Canterbury during the inspection, the offsite retention pond is owned by Ameristar. The permittee must have adequate permission from the land and/or BMP owner(s) to utilize off-site BMPs and to ensure proper maintenance and operation of the BMP. The permittee must also document evidence of this agreement in the SWMP. The SWMP did not identify installation and implementation specifications for the offsite retention pond. In addition, the offsite retention pond was not identified in the SWMP as a BMP being implemented on site. All BMPs must be implemented according to installation and implementation specifications outlined in the SWMP. All installation and implementation specifications outlined in the SWMP must

Attachment A

follow good engineering, hydrologic and pollution control practices.

Notes: Use of Retention Ponds as BMPs during Construction in Compliance with the Permit

Retention ponds can be used as a construction BMP under the following conditions:

- a. The pond is clearly designated as a construction BMP in the SWMP;
- b. The pond and its inspection and maintenance are described as required in Part I.B.2 of the permit; and
- c. The pond is designed and implemented for use as a BMP during construction 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 linear stretch of disturbed slope located north of the Avenue of the All Stars and east of Richman Street (Richman Street eventually turns into Dory Hill Road). The disturbed slope was approximately at 10 percent gradient. Two water bars were placed within the approximately 400 foot linear feet of disturbance. The SWMP did not identify installation and implementation specifications for the water bars. According to good engineering, hydrologic and pollution control practices, water bars should be placed the entire width of the disturbed area, spaced a minimum of 80 feet apart for slopes 10% or greater and 60 feet apart for slopes 15% or greater, water bars should be constructed at approximately 30 degrees to the direction of the slope. The water bars were not installed according to good engineering, hydrologic and pollution control practices. The water bars were not spaced a minimum of 80 feet apart and were placed perpendicular to the slope (see photos 8, 9, and 11). Erosion was evident on the south sides of the water bars (see photos 9 and 10). As a result, sediment was discharged to the southwest, to Four Mile Gulch located down-gradient to the west (see photo 12 and 15). All BMPs must be implemented according to installation and implementation specifications outlined in the SWMP. All installation and implementation specifications outlined in the SWMP must follow good engineering, hydrologic and pollution control practices.
7. It was noted during the inspection that inadequate BMPs were implemented to manage stormwater runoff from the disturbance located along the southern boundary of the project, north of the Avenue of the All Stars and east of Richman Street. Silt fence was installed along the southern boundary of the project. The SWMP did not identify installation and implementation specifications for the silt fence. According to good engineering, hydrologic and pollution control practices, silt fence fabric should be trenched a minimum of six inches, silt fence should be installed on the drainage contour, silt fence should not be installed in areas of concentrated flow, and must not exceed $\frac{1}{4}$ acre drainage per 100 linear feet of silt fence. The silt fence was not installed according to good engineering, hydrologic and pollution control practices and was not inspected and maintained in good and effective operating condition. The silt fence was not installed on the drainage contour, was not trenched into the ground at least 6 inches, the silt fence was installed in areas of concentrated flow, and the silt fence was down in areas (see photos 10, 13, 14, 15, and 16). As a result, sediment was discharged to the southwest and to the west; to Four Mile Gulch located at the toe of the slopes (see photo 15 and 16). All BMPs must be implemented according to installation and implementation specifications 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 follow good engineering, hydrologic and pollution control practices.
8. It was noted during the inspection that inadequate BMPs were implemented to manage stormwater runoff from the linear stretch of disturbance located north of the Avenue of the All Stars and east of Richman Street. The linear stretch of disturbance was hydro mulched. The SWMP did not identify installation and implementation specifications for the hydro mulch. The hydro mulch was not maintained in good and effective operating condition. Portions of the slope were bare and not covered by the hydro mulch. In addition, erosion rills were evident throughout the slope (see photos 8, 11, 12, and 15). In addition, since the SWMP did not identify installation and implementation specifications for the hydro mulch, it was unclear whether the hydro mulch product was appropriate for the steepness of the slope. As a result, sediment was discharged to the west; to Four Mile Gulch located at the toe of the slope (see photo 12 and 15). All BMPs must be implemented according to installation and implementation specifications 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 follow good engineering, hydrologic and pollution control practices.

Site Photographs: Water Storage Tank Construction Photograph Date: September 17, 2010

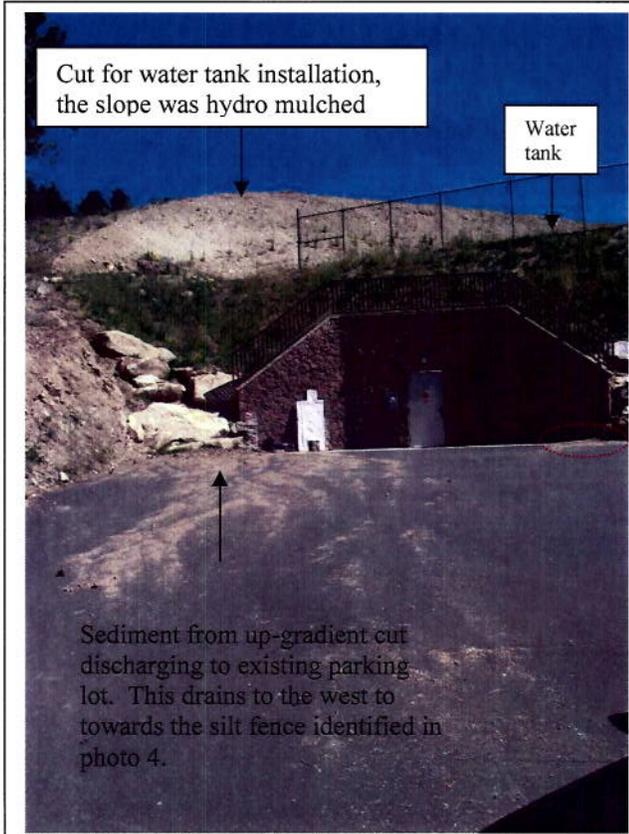


Photo 1—Northeast side of existing parking lot, west of the constructed water tank and wall; north of Avenue of the All Stars.

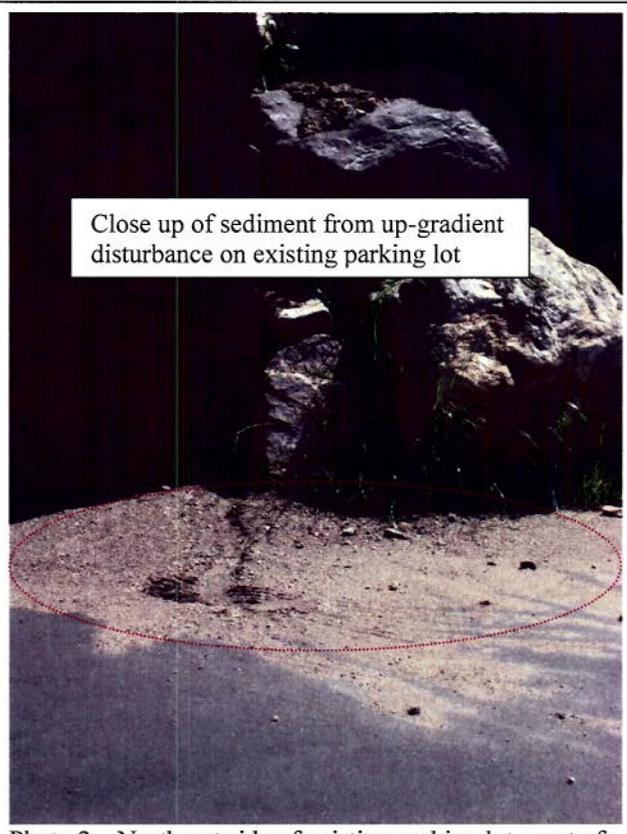


Photo 2—Northeast side of existing parking lot, west of the constructed water tank and wall.

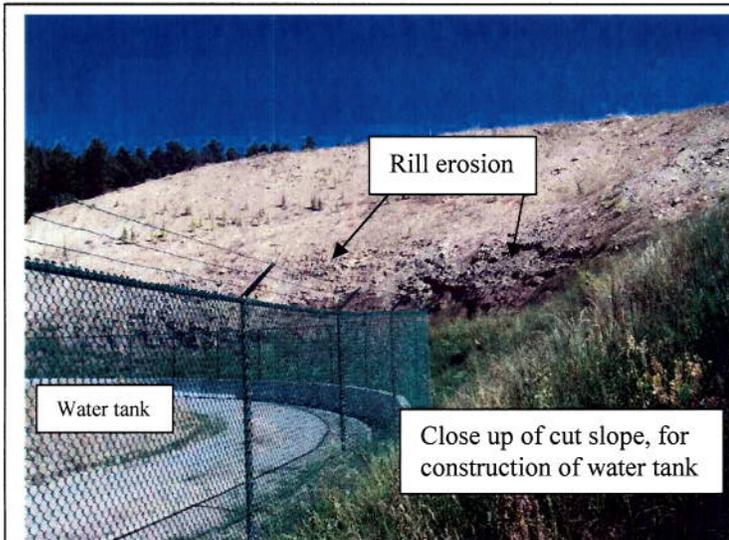


Photo 3—Northeast project boundary.

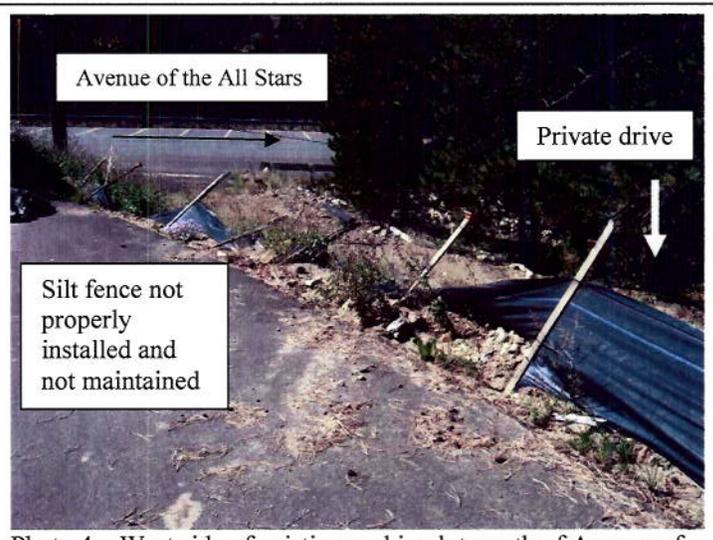


Photo 4—West side of existing parking lot, north of Avenue of the All Stars.

Site Photographs: Water Storage Tank Construction Photograph Date: September 17, 2010

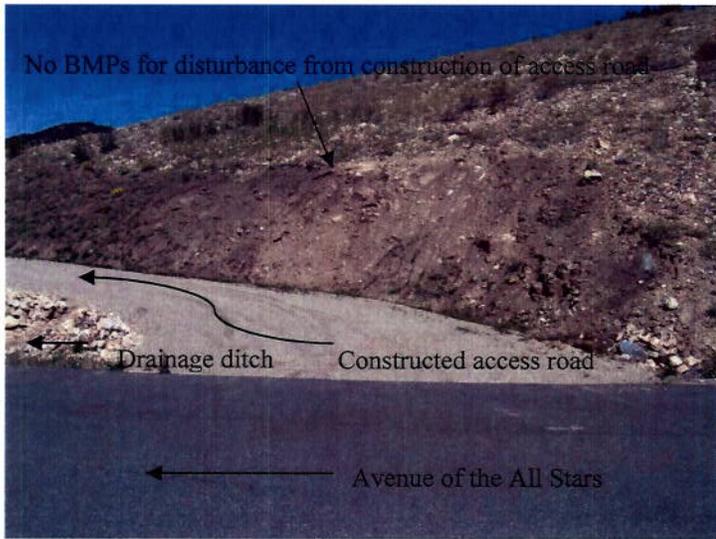


Photo 5—Constructed water tank access road, north of Avenue of the All Stars

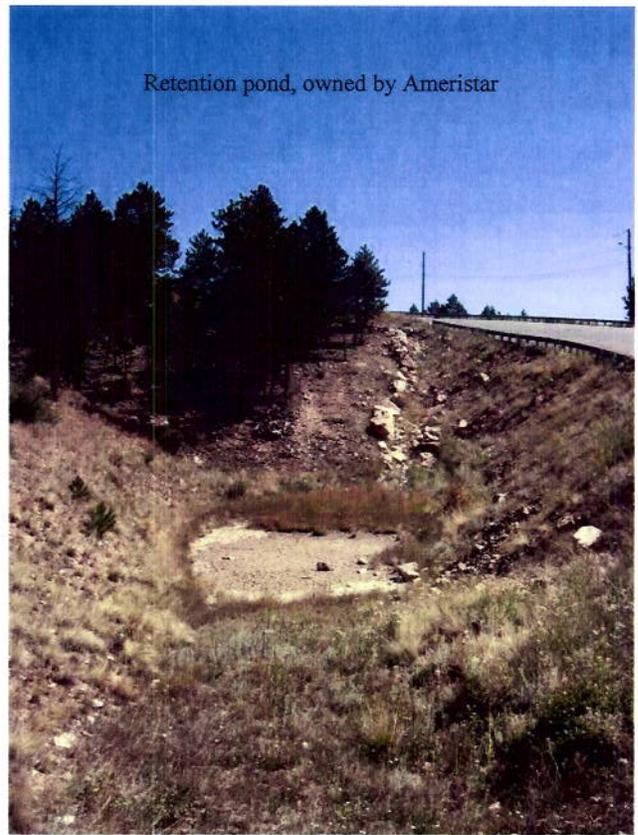


Photo 6—Retention pond located north of Avenue of All Stars, down-gradient of water tank construction

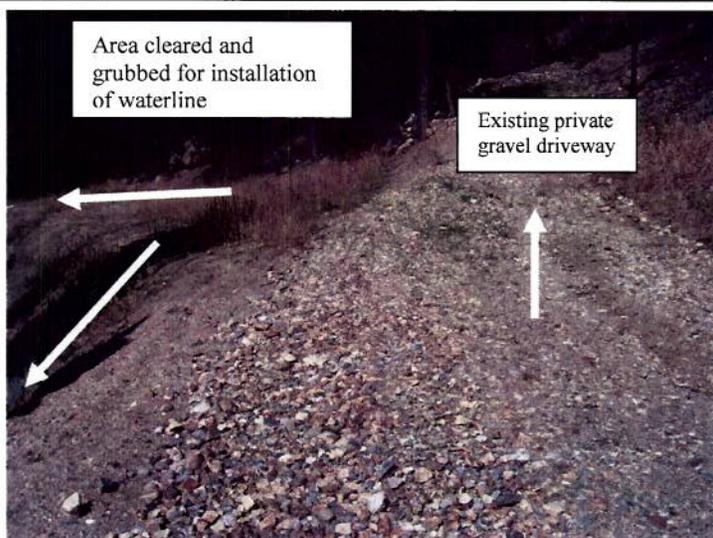


Photo 7—Disturbance located along the southeast side of the project, just east of the entrance to the constructed Glacier Park Storage facility

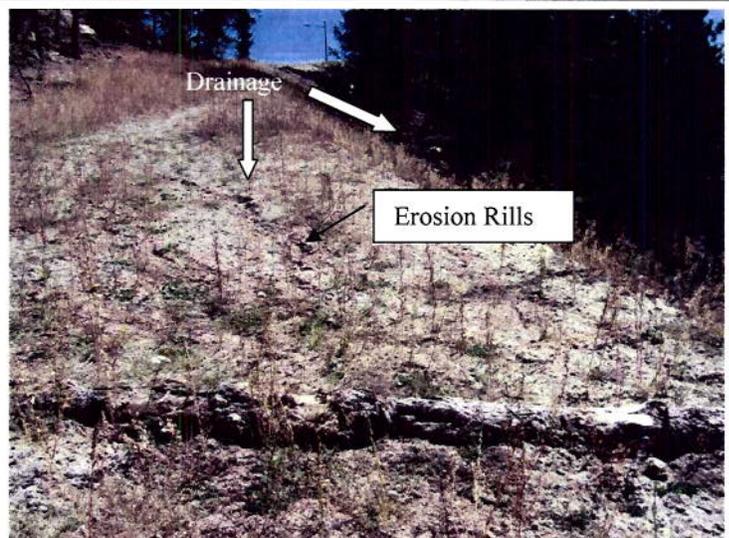


Photo 8—Linear disturbance located north of the Avenue to the All Stars, east of Richman Street and west of the existing private gravel driveway (identified in photo 7)

Site Photographs: Water Storage Tank Construction Photograph Date: September 17, 2010

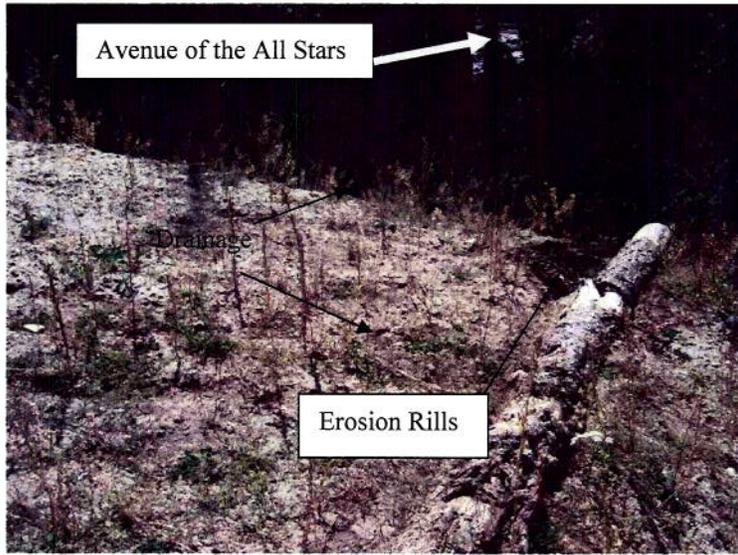


Photo 9—Most up-gradient water bar located within linear disturbance, north of Avenue of the All Stars, east of Richman Street

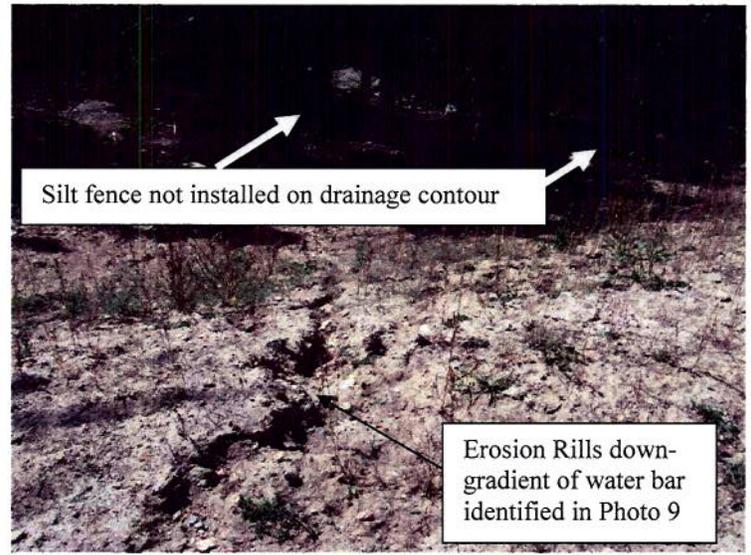


Photo 10—Disturbed slope south of the linear disturbance identified in photo 8

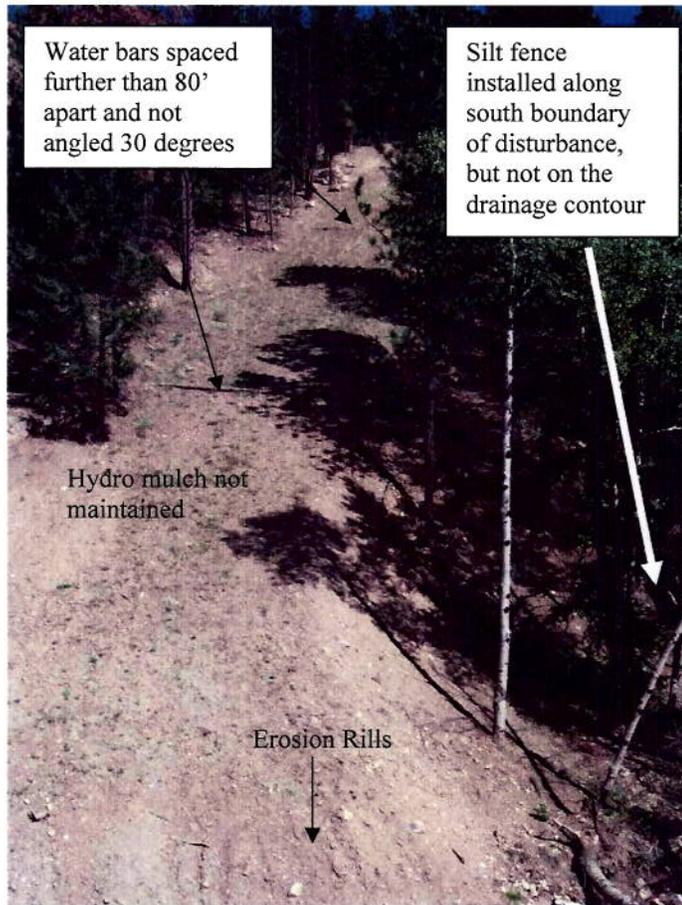


Photo 11— Linear disturbance located north of the Avenue to the All Stars, east of Richman Street

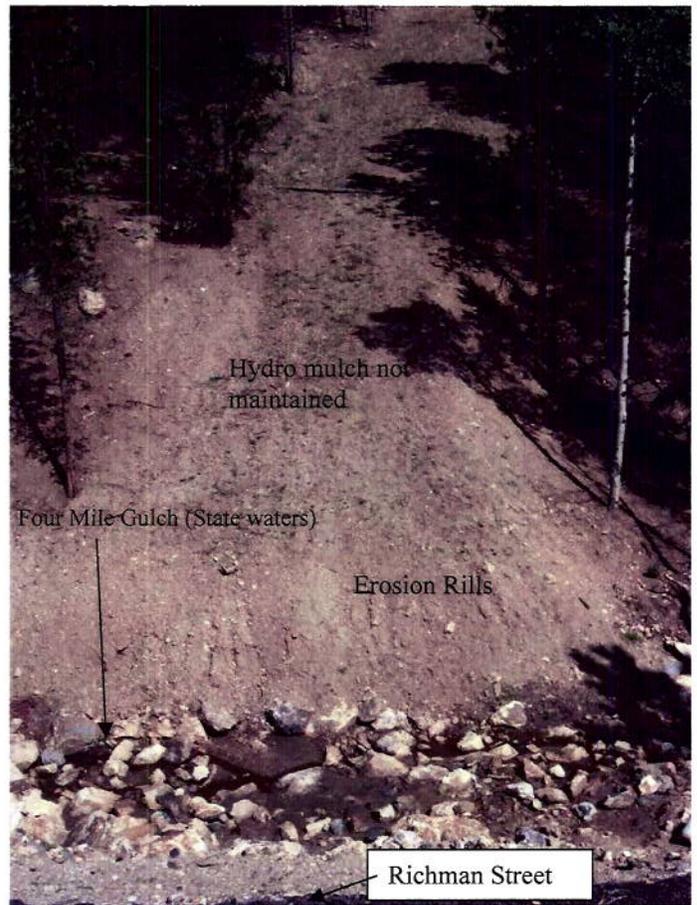


Photo 12—Linear disturbance located north of the Avenue to the All Stars, east of Richman Street

Site Photographs: Water Storage Tank Construction Photograph Date: September 17, 2010

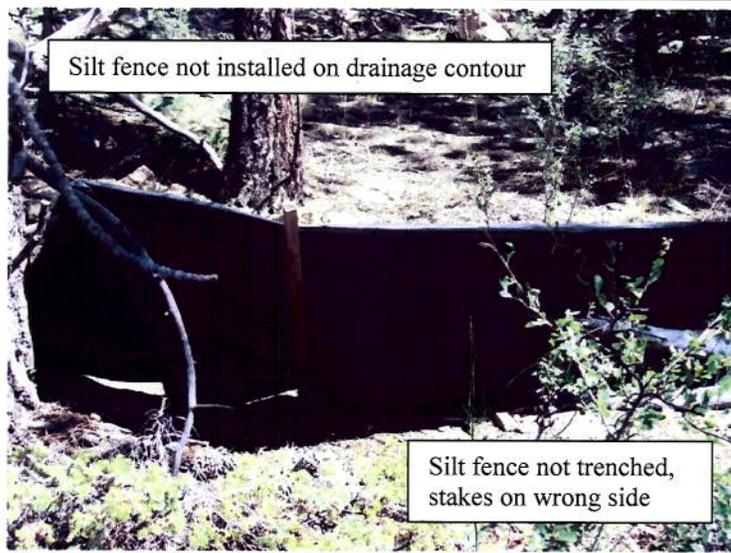


Photo 13—Silt fence located along the southern boundary, north of Avenue of the All Stars and east of Richman Street

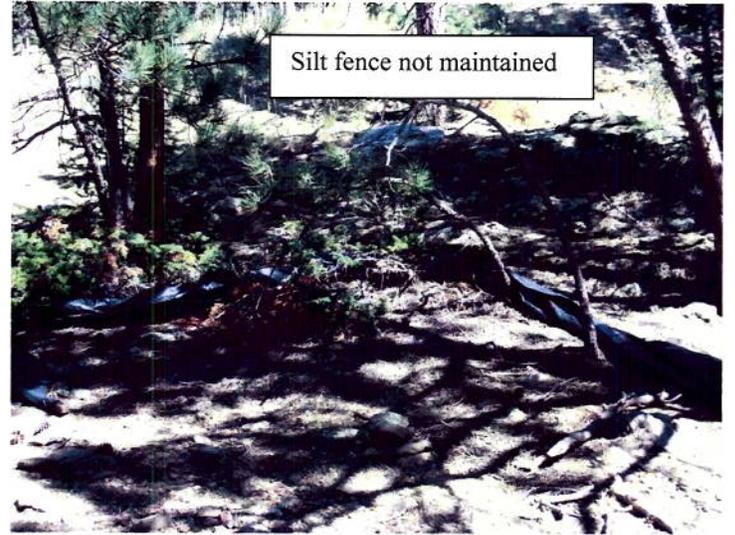


Photo 14—Silt fence located along the southern boundary of the Project, north of Avenue of the All Stars and east of Richman Street

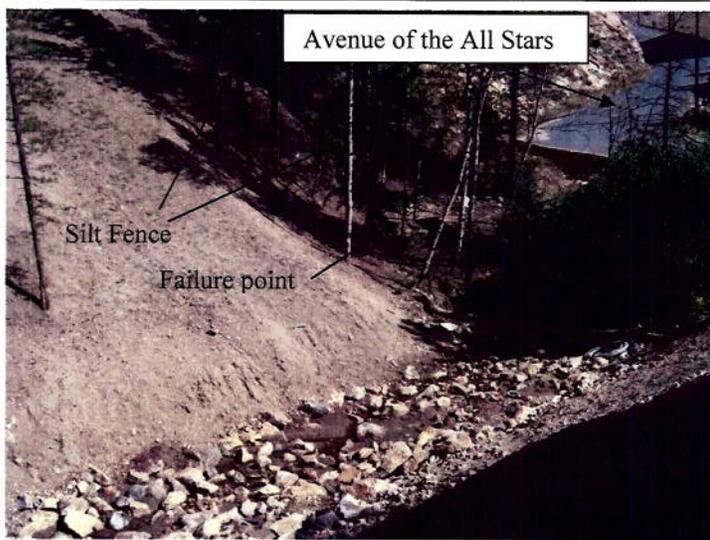


Photo 15—Standing from Richman Street looking southeast

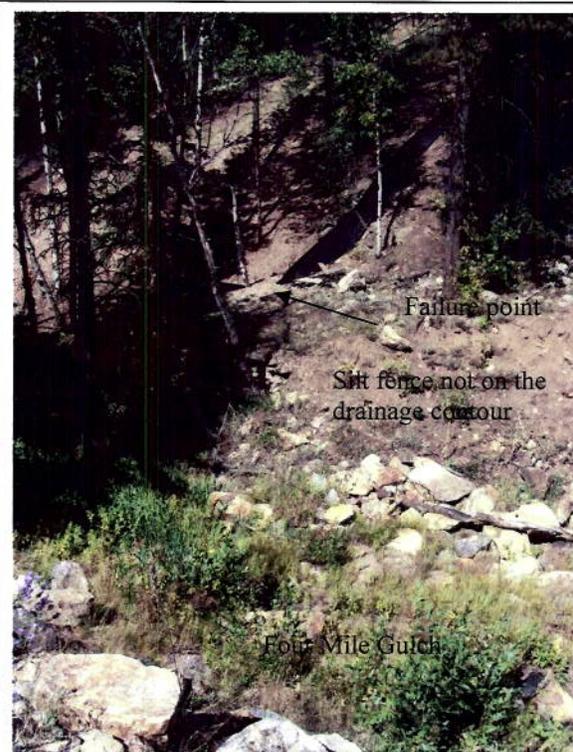


Photo 16—Standing from Richman Street looking northeast