



EXPEDITED SETTLEMENT OFFER

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This Expedited Settlement Offer (“ESO”), is entered into by and between the Director of the Division of Water Quality (“Director”) and Lake Point Vistas, L.C. (“Owner/Operator”), jointly referred to herein as the “Parties,” pursuant to the Director’s authority under the Utah Water Quality Act, Utah Code §§ 19-5-111, 19-5-115, Utah Administrative Code (UAC) R317-1-8 and R317-8-3.9.

1. Owner/Operator is a “person” as that term is defined in Utah Code § 19-1-103(4).
2. Owner/Operator is conducting “construction activity” at Bridlewalk Phase 4 (the “Project”).
3. The Director issued the General Permit for Storm Water Discharges from Construction Activities UTRC00000 authorizing owners/operators of construction activities to discharge in accordance with specific terms, conditions and best management practices as provided for in the Permit and UAC R317-8-11. Owner/Operator obtained coverage for the Project under UTRC00000 and was assigned UPDES Permits No.: UTRC01785 and UTRC06339, making the Owner/Operator responsible for compliance with UTRC00000. (UTRC00000 and the Owner’s/Operator’s specific coverage are referred to collectively herein after as (“the Permit”)).
4. An ESO may be used in enforcement cases in lieu of the penalty process in when violations are readily identifiable, readily correctable, and do not cause significant harm to human health or the environment. *See* UAC R317-1-8.3 and -8.6.
5. The attached Expedited Settlement Offer Deficiencies Form (“ESODF”), incorporated herein by reference, includes findings which specify the conditions in violation of the Permit observed at the Project during an on-site inspection conducted on January 27, 2023. The ESODF is in lieu of an initial order, notice of violation or notice of agency action to facilitate the purposes described hereinafter.
6. The Parties voluntarily enter into this ESO in order to: identify the actions necessary to correct the deficiencies observed at the Project; determine the amount of the civil penalty appropriate for the violation(s) based on the deficiencies alleged; and to conclude this matter without the necessity of further administrative or judicial proceedings.
7. Owner/Operator agrees that a penalty in the amount of **\$4,160.00** is appropriate based on the circumstances specified herein. This ESO is subject to a thirty (30) day notice and comment period as provided for in UAC R317-8-1.9. The Parties each reserve the right to withdraw from this ESO if comments received during the notice period result in a modification to the terms and conditions.
8. By accepting this ESO, Owner/Operator neither admits nor denies the findings, violations or deficiencies specified herein.

DATE STAMP



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9. Owner/Operator agrees to the terms, conditions and requirements of this ESO. By signing this ESO, Operator understands, acknowledges and agrees that it waives: (1) the opportunity for an administrative hearing pursuant to Utah Code § 19-1-301; (2) the right to contest the finding(s) in the ESODF and the penalty amount specified herein; and (3) the opportunity for judicial review.
10. Owner/Operator certifies that all deficiencies identified herein have been corrected and that the Project is currently in full compliance with the terms and provisions of the Permit. Additionally, Owner/Operator has attached to this ESO: (1) a written description detailing how the deficiencies were corrected; and (2) representative photographs documenting the current conditions and the associated Best Management Practices implemented at the Project.
11. The Parties mutually agree that this ESO is entered in good faith and is an appropriate means to resolve the matters specified herein.
12. This ESO will be final after the thirty (30) day notice and comment period on the date the Director signs the ESO, at which time the civil penalty takes effect.
13. Owner/Operator agrees that within thirty (30) calendar days of receiving the signed and final ESO and invoice information from the Division of Water Quality ("Division"), Owner/Operator shall submit payment in accordance with the instructions attached to the invoice, in the amount specified in paragraph 7 above.
14. The violations described herein will constitute part of Owner's/Operator's compliance history where such history is relevant, including any subsequent violations. Owner/Operator understands and agrees that this ESO is not and cannot be raised as a defense to any other action to enforce any federal, state or local law.
15. This ESO, when final, is binding upon Owner/Operator and any corporate subsidiaries or parents, their officers, directors, employees, successors in interest, and assigns. The undersigned warrants that it is authorized to legally bind their respective principals to this ESO.

DATE STAMP





STATE OF UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY

EXPEDITED SETTLEMENT OFFER

FOR THE UTAH DIVISION OF WATER QUALITY

By: \_\_\_\_\_  
John K. Mackey, P.E.  
Director, Utah Division of Water Quality

Date: \_\_\_\_\_ (Effective Date)

FOR LAKE POINT VISTAS, L.C.

By: \_\_\_\_\_  
Title: Manager  
Date: 8-17-23

DWQ-2023-006047

EQ\_Docs/DWQ/Compliance and Enforcement/Lake Point Vistas, L.C./2023 ESO Bridlewalk Phase 4 UTRC06339/2023-04 ESO Issuance Lake Point Vistas UTRC06339

DATE STAMP

### Silver Leaf SWPPP CGP

<b>Site Name:</b>	<u>Bridlewalk Phase 4</u> <u>1585 E Cliff Ln, Lake Point, UT 84074</u>	<b>Inspector:</b>	Daniel Andrews
<b>Permit #:</b>	UTRC06339	<b>Inspection Frequency:</b>	Bi-weekly
<b>Date of Visit:</b>	Aug 22, 2023, 11:01:59 AM	Last Rain Event Friday, August 18, 2023, 0.0"	Last Precipitation Thursday, August 17, 2023, 0.82" 48h Forecast 85% Chance of Rain

#### SWPPP Sign

1) Is the SWPPP Sign posted and visible onsite?

 Yes  NO


2) Is the site notice, NOI and other required permits attached to the sign?

 YES  NO

2A) Date of NOI Expiration

02/05/24

2B) Other Permit Type and and Expiration if applicable:

N/a

3) Is the site notice QR code active and the current site contact information posted on the sign?

 Yes  No

Site Contact information: Please fill out questions 4a-4c on who the current site contact is for the site. This is the responsible person for the site and overseeing the SWPPP. This information could be different than the question regarding who communication and review of this inspection were done with. \*Site Contact information should be current on the sign if changes are made.

4A) Please list the current site contact Name:

Howard

4B) Please list the current site contact phone number:

801-859-9449

4C) Please list the current site contact role:

Superintendent

4C) Other:

N/a

#### Site Overview

## Silver Leaf SWPPP CGP

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5) Current phase of construction

- Pre-Construction- NO activity
- Grubbing and Grading
- Mass Grading and Excavation
- Sitework and Foundation
- Utility Work, Curbs and Gutter - Storm Drain Box installation
- Road - Base and Asphalt
- Rough Framing
- Exterior Construction
- Finishes and Fixtures - Landscaping
- Closeout- NOT ready - Occupancy

What Phase(s) of the project are active? Notes regarding activity and Lots:

Land development is complete. Sweeping continues regularly. Lots 401 & 402 have been sold.

Completed Phase(s) Indicate here:

N/a

6) Identify the perimeter controls onsite

- Silt Fence
- Fiber Rolls
- Curb Cutback
- Berms
- Vegetation or stabilized soils
- Check Dams
- Elevation
- Drainage Swales
- Retaining Wall

Other perimeter control notes

N/a

7) Is there evidence of sediment leaving the site? (check roads, dirt ramps, sidewalks, and parking areas)

- Yes
- No
- N/A

8) Are track out controls installed and maintained?

- Yes
- No
- N/A

9) Are drain inlets installed on site?

- Yes
- No
- N/A

9A) If yes are inlets properly installed and protected with correct BMPs?

- Yes
- No
- N/A

10) Do drain inlets require maintenance?

- Yes
- No
- N/A

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- 11) Are there concrete washout located onsite?
 

Yes	No	N/A
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- 12) Is the site free of any washout spillage outside of the contained area?
 

Yes	No	N/A
-----	----	-----
- 13) Is each concrete washout location identified with a sign?
 

Yes	No	N/A
-----	----	-----
- 14) Are concrete washouts maintained and below 75% capacity?
 

Yes	No	N/A
-----	----	-----
- 15) Are dirt and gravel stockpiles in compliance? Stockpiles need to be located off of impervious surfaces, away from surface waters and requires BMPs if it is not an active stockpile.
 

Yes	No	N/A
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### Housekeeping

- 16) Are portable toilets in compliance? Set back 10 feet from curb, staked down, secondary containment
 

Yes	No	N/A
-----	----	-----
- 17) Are dumpsters in compliance? Trash should not exceed dumpster height?
 

Yes	No	N/A
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- 18) Is the site free of blowable trash? Construction debris and blowable trash onsite need to be contained.
 

Yes	No	N/A
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- 19) Is dust being properly controlled onsite? Water trucks may be necessary.
 

Yes	No	N/A
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- 20) Are all materials on site properly stored on site. Undercover plastic cover out of the street and off of impervious surfaces.
 

Yes	No	N/A
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- 21) Does the site have a spill kit that will properly contain and clean up spills or leaks?
 

Yes	No	N/A
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### Discharge

22) If there is a discharge, a visual sample is required. Be sure to add a visual monitoring form to this inspection.

N/a

### RUN-ON AND RUN-OFF

- 23) Where applicable, are the site Run-On flows properly controlled (i.e. waters entering the site from upslope) with BMPs to prevent contact with pollutants and to prevent erosion, and are all storm water flow structures (drainage channels, diversions, conveyance, sediment basins) FREE of erosion, sediment buildup of over 50%, or needing additional BMPs?
 

Yes	No	N/A
-----	----	-----
- 24) Are all discharge points and outfalls on or near the site FREE from sediment buildup, pollutants, and erosion, and are all surface waters on or near the site FREE from visible pollutants coming from the construction site? e.g. outfalls into a water body, retention basin outfalls, detention basin outfalls.
 

Yes	No	N/A
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25) Where applicable, If the site is within 50 feet of a surface water (Area of water that is in place more than two months out of the year) is the natural buffer or natural buffer equivalent in place on site?

 Yes  No  N/A

26) Is the site FREE from dewatering off site perimeter boundaries, or has a dewatering permit been obtained from the state, and is proper sampling occurring?

 Yes  No  N/A

#### NOTICE OF TERMINATION

27 - Are future inspections needed?

 Yes  No

28 - If applicable has the final inspection been scheduled with the MS4?

 Yes  No  N/A

Note areas that were unsafe / non-accessible during this inspection:

N/a

Note the dates and locations of any new disturbances, excavations, major digs, areas that have been temporarily/permanently stabilized or sold:

N/a

#### Inspector Notes and Comments:

Inspector Notes and Comments:

Progress has been made on the oil action item as sand was placed to help soak up a portion of the spill.

NOTE: For map updating, this requires the SITE MAP to be updated with specific BMPs (including dates/locations when a BMP was added, moved, repaired, or removed with an activity description where applicable) in the SITE MAPS section when using complianceGO

Updated Maps

 Map is current and up to date

 Map updated at time of inspection and is now current

 Map has NOT been updated

#### Communication

Indicate who these inspection findings were reviewed with or sent to.

Information for site inspection review is same as question 4- Site Contact person.

 Yes

 No Different person site review person - (fill out below)

First Name, Last Name, Title or Role, and Company

Howard: updated on the status of the site including the current action item.



# SILVER LEAF SWPPP

## Silver Leaf SWPPP CGP

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### Upload site photos:



### Certification & Signatures

#### Signature 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 gathered and evaluated 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.

#### Electronic Signature

**X Daniel Andrews**

Date

August 22, 2023 at 11:06:03 AM MDT

Title

Registered Stormwater Inspector (RSI)



## Silver Leaf SWPPP CGP

<b>Site Name:</b>	<u><a href="#">Bridleway Phase 4</a></u> <u><a href="#">1585 E Cliff Ln, Lake Point, UT 84074</a></u>	<b>Inspector:</b>	Daniel Andrews	
<b>Permit #:</b>	UTRC06339	<b>Inspection Frequency:</b>	Bi-weekly -	
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### Photos



### Silver Leaf SWPPP CGP

<b>Site Name:</b>	<u><a href="#">Bridgework Phase 4</a></u> <u><a href="#">1585 E. Cliff Ln, Lake Point, UT 84074</a></u>	<b>Inspector:</b>	Daniel Andrews
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## Weather History





All precipitation totals are obtained from the National Oceanic and Atmospheric Administration (NOAA). Precipitation readings are based on the latitude and longitude for each site as entered into complianceGO. Occasionally NOAA fails to return/record data. Days where this occurs are so indicated.

### Silver Leaf SWPPP CGP

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### Action Items

Title	Identifier	Inspector	Date	Priority	Location	Description	Status	Closer	Notes	Photos
Concrete without sign		Daniel Andrews	July 31, 2023	Immediate	Lot 417	The concrete washout needs a sign posted.	Closed August 22, 2023	Tom Guymon	Lot 417 has been sold off to a different owner.	
Concrete spillage		Daniel Andrews	July 24, 2023	Immediate	Lot 431	Concrete has been spilt onto the ground and needs to be cleaned up.	Closed August 22, 2023	Tom Guymon	Concrete waste has been placed in Concrete Washout. Lot 431 has been sold to a different buldler. July 31, 2023: Additional spillage at lot 417 also needs to be cleaned up.	
Oil		Daniel Andrews	June 19, 2023	Immediate	North end of site.	Some oil has leaked onto the ground and needs to be cleaned up.	Closed August 22, 2023	Tom Guymon	Absorbent has been placed on the spill—no current issue.	