



WATERSHED SPECIAL EVENT APPLICATION

Application for Permits to Watershed Property of the City of Colorado Springs

1. Complete

Section I. Applicant

Section II. Purpose of Permit

*Section III. Terms and
Conditions and Release of
Liability*

2. Sign and date to confirm that you have read and agree to the terms and conditions and the release of liability.
3. Thoroughly explain the activity proposal including information outlined in *Section IV-Permit Purpose*. Attach additional sheets as necessary.
4. Submit completed application and any attachments to the below address or email¹ to eventrequest@csu.org

Colorado Springs Utilities
Watershed Planning
PO Box 1103, Mail Code 1825
Colorado Springs, CO 80947

Please submit your application as soon as event details are determined. Timely application submittals are encouraged, and we request you allow approximately six weeks from submittal date for our review and notification response.

¹ Colorado Springs Utilities does not warrant the security of third-party email providers. Email may not be a secure means to send private information and customers accept any security liabilities while information is in transit. Upon receipt, Colorado Springs Utilities will secure all personal information in accordance with internal policies and applicable laws.

Section I. Applicant

1. Name of Group/Company: _____

1. Applicant Agent: _____

2. Mailing Address: _____

3. Contact Number: _____

4. Email address: _____

5. Job Title (*if applicable*): _____

6. Affiliation and/or Sponsor (*if applicable*): _____

7. Tax Status (select one): non-profit not-for-profit commercial/profit

8. If you have been in contact with a Colorado Springs Utilities employee regarding a proposed special event, scientific research, observational study, public education, or public safety training, please provide his/her name and contact information.

Section II. Purpose of Permit (please select one)

A. SPECIAL EVENT

Special Events are a single event or series of events that may substantially increase use or disrupt public use and enjoyment of allowable watershed activities. Special Events tend to need pre-event planning and material resources,

e.g. trail markings, port-a-lets, that are normally absent. Special event activities include but are not limited to: festivals, concerts, sporting events, organized walks and runs, trail projects. Special Event permits are issued for activities or projects that provide a direct, tangible benefit to the community.

B. SCIENTIFIC RESEARCH

Scientific Research involves direct, measurable manipulation of the system of interest to examine the treatment's effect by using the scientific method. Simply observing results of an event is not Scientific Research; it is an Observational Study.

C. OBSERVATIONAL STUDY

An Observational Study is a project or study that examines an existing system with no manipulation by the observer. The Study often does not pose a hypothesis but simply attempts to gain further knowledge of a particular subject through observational assessment (not experimentation).

D. PUBLIC EDUCATION

Public Education is a tour of an area/areas of the Watershed Property(s) of interest. The tour may require a Colorado Springs Utilities employee to lead the tour.

E. PUBLIC SAFETY TRAINING

Public Safety Training is for first responders and military requests to conduct safety training modules, certifications and or general exercises for skill-based proficiency training on Colorado Springs Utilities owned, managed and operated watershed lands. Requests shall consider all Colorado Springs Utilities partnerships, agreements, and other granted permits. Any Public Safety Training requests where Colorado Springs Utilities has only partial ownership, or operating under a special use permit or Right of Way, will defer final approval to that respective jurisdictional authority or land management agency.

Section III. Terms and Conditions of All Granted Permits and Release of Liability

Terms and Conditions

- Watershed Property shall mean any portion of a Watershed area owned by the City of Colorado Springs and managed by or Colorado Springs Utilities. Permits will not be issued for the South Slope of Pikes Peak, including the South Slope Recreation Area, as referenced in Resolution 37-12.
- Before final permit approval for Special Events, the Applicant will submit a certificate of liability insurance that names as Additional Insured by specific endorsement: "Colorado Springs Utilities, City Council, Utilities Board, their officers, employees and agents and successors and assigns," and any other public entities impacted by the event or proposal. The underlying insurance policy must be for a minimum of \$1,000,000 per occurrence, with an aggregate amount of \$2,000,000. Such insurance coverage must be maintained for the duration of the event, including setup and dismantle dates.
- Colorado Springs Utilities reserves the right to deny, revoke, or restrict any permit without cause. Reasons for such actions which may include, but are not limited to, drought conditions, wildfire danger, security threats, water quality impairment, Colorado Springs Utilities' operations, wildlife activity as well as environmental, cultural, and other resource protection.
- The proposed activity must provide a direct, tangible economic, social, scholarly, data and/or ecological benefit to Colorado Springs Utilities and/or the community of Colorado Springs.
- Applicant must obey all federal, state, and local laws and regulations, including the Code of the City of Colorado Springs, as amended.
- The Applicant is responsible for securing and complying with any applicable federal, state, or local permits or authorizations required for a proposed Observational Study, Scientific Research, Special Event or Public Education.
- Prior to issuance of a permit, the Applicant shall sign the Release of Liability attached to this application. Unless otherwise directed by Colorado Springs Utilities, Applicant shall also require all participants in any activity authorized under the permit to sign an individual General Release of Liability that contains terms that are substantially similar to those contained in the form attached to this application. Applicant shall provide copies of the General Release of Liability signed by each participant to Colorado Springs Utilities if requested. Failure to require all participants to sign a General Release of Liability may result in future denial of applications or revocation of an existing permit.
- Any proposed activity or project must not be reliant on Colorado Springs Utilities' funding.
- Any proposed activity or project must not be reliant on Colorado Springs Utilities to alter operational actions in order to accommodate activities.
- All applicants requesting access to publicly closed Watershed Property must provide a legible copy of current government-issued photo identification and carry a copy whenever on the property.
- All approved permittees are required to attend an orientation meeting with Colorado Springs Utilities staff, if requested.
- Any permit is issued on a case-by-case basis for the specific project, activity and dates listed on the permit, and issuance does not set precedent or standards for future applications. Any proposed changes to the Scope of Work, Operation Plan or Proposal require written approval of Colorado Springs Utilities. Not obtaining written approval for changes may result in future denial of applications or revocation of an existing permit.

- Colorado Springs Utilities has final review and approval rights for all proposals influencing water and watershed operations on Watershed Properties. Modifications to the proposal may be required. Additional Terms and Conditions must be satisfied before final approval is given.
- Colorado Springs Utilities may reference the Recreational Uses on Municipal Watershed Lands, associated master plan or management plan, and Colorado Springs Utilities' Policies and Regulations in the review of the permit request.
- No overnight camping is allowed on the Watershed Properties.
- No soil, trees, vegetation, animals or cultural artifacts may be destroyed or removed from Watershed Properties without specific prior written permission from Colorado Springs Utilities.
- No fires are allowed on the Watershed Properties. Local, County and Forest Service burn-bans will be followed.
- No use of drones permitted on the Watershed Properties.
- Any photos taken and published will include recognition of Colorado Springs Utilities' cooperation by including either of the following with the photo:

"Courtesy of Colorado Springs Utilities."

(or)

"Photo(s) taken by (INSERT NAME OR ORGANIZATION). Location access courtesy of Colorado Springs Utilities"

Release of Liability

- The Applicant possesses liability insurance and understands and acknowledges that conducting activities on the Watershed Property is at his/her own risk. The permit holder is responsible for his/her actions and actions of those operating under their permit and agrees to hereby release and hold harmless Colorado Springs Utilities, an enterprise of the City of Colorado Springs, the City of Colorado Springs, a home rule city and municipal corporation, the Colorado Springs City Council, the Colorado Springs Utilities Board, their successors, assigns, attorneys, employees, agents, servants and insurers, if any, of and from any and all liability for any claims, demands, damages, costs, liabilities, expenses, compensation, reimbursement, attorneys' fees, rights and causes of action, arising or growing out of and by reason of, any and all known or unknown, foreseen and unforeseen personal injuries, death or property damage sustained, the consequences thereof, which may now or hereafter result from or which may or will result or arise out of, directly or indirectly, Applicant's or those operating under Applicant's permit use of Watershed Property under the permit, except to the extent caused by Colorado Springs Utilities' gross negligence or intentional misconduct.
- To the fullest extent permitted by law, Applicant shall fully protect, defend, indemnify and hold harmless Colorado Springs Utilities, the City of Colorado Springs, the Colorado Springs City Council, the Colorado Springs Utilities Board, their successors, assigns, attorneys, employees, agents, servants and insurers, if any, from and against any and all claims, costs, (including, but not limited to, all fees and charges of engineers, attorneys or other professionals and all court or dispute resolution costs), losses, damages, causes of action, or liability of any nature to the extent arising from the Applicant's or those operating under Applicant's permit activities or actions under the permit.
- Nothing contained herein shall be deemed or construed to be a relinquishment or waiver of any kind of the applicable limitations of liability provided to Colorado Springs Utilities, the City of Colorado Springs, their officers, City Council, Utilities Board, directors, employees, agents and representatives by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*
- The Applicant agrees to be responsible for all costs and expenses relating to the cleanup or repair of any damages to City of Colorado Springs' or Colorado Springs Utilities' property and infrastructure which are incurred by Colorado Springs Utilities and arise directly or indirectly from the Applicant's activities and actions or those operating under their permit.
- The Applicant agrees they have the responsibility of inspecting the permit area for hazards and conditions posing a risk of injury to individuals and agrees to take appropriate actions to ensure public health, safety and welfare.
- Applicant agrees to maintain an insurance policy for a minimum of \$1,000,000 per occurrence, with an aggregate amount of \$2,000,000 and be responsible for liability and costs incurred related to the activity or event, including, but not limited to, emergency evacuations or rescues that may occur on the Watershed Property. Applicant's insurance policy will name as Additional Insured by specific endorsement: "Colorado Springs Utilities, City Council, Utilities Board, their officers, employees and agents and successors and assigns," and any other public entities impacted by the event or proposal.
- Applicant warrants that no promise or agreement not expressed in this Release of Liability has been made and that in executing this Release of Liability, Applicant is not relying on any statement or representation made by the parties released by the Release of Liability, but instead is relying on Applicant's own judgment.

Sign and date to confirm that you have read and agree to the above Terms and Conditions and Release of Liability provisions.

Signature of Applicant:

Date: _____

Printed Name:

Organization: _____

Insurance Policy Holder: _____

Insurance Company Name: _____

Phone: _____

Include a copy of the Certificate of Liability Insurance Form (naming Colorado Springs Utilities et al as Additional Insured with the name of the event and date(s) of duration as outlined in the Terms and Conditions.)

Individual Release of Liability

GENERAL RELEASE OF LIABILITY

I, (print name) _____, hereby release and discharge Colorado Springs Utilities, a municipal enterprise of the City of Colorado Springs, the City of Colorado Springs, a home rule city and Colorado municipal corporation, the Colorado Springs Utilities Board, the Colorado Springs City Council, their successors, assigns, attorneys, agents, servants and insurers, if any, of and from any and all liability for any and all claims, demands, damages, costs, liabilities, expenses, compensation, reimbursement, attorney's fees, rights and causes of action, arising or growing out of and by reason of, any and all known or unknown, foreseen and unforeseen injuries sustained by me and the consequences thereof, which may now or hereafter result from or which may or will result or will arise out of, directly or indirectly, by my participation in _____

_____ **(insert description of activity under permit)**
on watershed property owned by the City of Colorado Springs and managed by Colorado Springs Utilities, except to the extent of the Colorado Springs Utilities' gross negligence or intentional misconduct.

Nothing contained herein shall be deemed or construed to be a relinquishment or waiver of any kind of the applicable limitations of liability provided to Colorado Springs Utilities, the City of Colorado Springs, their officers, City Council, Utilities Board, directors, employees, agents and representatives by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.* or Colorado's Recreational Use Statute C.R.S. § 33-41-101 *et. seq.*

I warrant that no promise or agreement not expressed in this General Release of Liability has been made to me; that in executing this General Release of Liability, I am not relying on any statement or representation made by the parties released in this General Release of Liability but am relying solely on my own judgment.

I acknowledge that I have read this General Release of Liability and understand the terms set forth in the General Release of Liability.

Signature

Date

Section IV Permit Purpose

Use one of the outlines below to organize your proposal, or a format that will include the information.

SPECIAL EVENT PROPOSAL OUTLINE:

- 1) **Name and Location of the proposed activity** (as precise as possible)
 - a) If possible, use the Public Land Survey System (PLSS), Degrees Minutes Seconds, Global Positioning points (GPS), or a USGS map of appropriate scale to illustrate location.
 - b) Staging areas, locations and routes. Label routes and locations clearly.
 - c) Please include a clearly labeled graphic representation in an 8 ½ x 11 or 11 x 17 format. KML (Google Earth) or GIS SHP files are accepted for identifying routes and locations.
- 2) **List the date(s) and times of your request for access**
- 3) **Contact information**
 - a) Organizer
 - b) Secondary contact
 - c) Emergency contact
 - d) All participants, if on a publicly closed Watershed Property
- 4) **Additional permits and licenses necessary for proposed activity**

NOTE: All written permits and/or licenses must be acquired 30 days prior to start of activity and on file with Colorado Springs Utilities.

 - a) Public entities
 - b) Private landowners
- 5) **Include a copy of the Certificate of Liability Insurance Form**
- 6) **Describe in detail your proposed activity including the following if applicable:**
 - a) How your proposed activity will benefit the community
 - b) Qualifications of applicant to operate the event with references from previously organized events
 - c) Number of expected participants
 - d) Facilities being supplied for the event (i.e. tents, booths, sanitation)
 - e) Description of the event (i.e. types of activities, timing and duration)
 - f) Other entities or landowners involved in permitting activities
 - g) Why does the proposed activity need to be conducted on watershed property rather than other public property?
- 7) **Submit an Operating Plan for the proposed activity**

An Operating Plan describes, at reasonable length, how the event will be organized and operated from pre-event set-up through post-event clean-up. The operating plan should provide an assessment of the potential public, environmental and Colorado Springs Utilities' operational impacts as a result of the proposed activity. The Operating Plan shall outline how you will take

actions to ensure public health, safety and welfare as well as protect natural resources, Colorado Springs Utilities infrastructure and water quality.

Incorporate as part of the Operation Plan:

- a) **Safety plan** (Identify potential safety risks and responses, including but not limited to: outline first aid, emergency response, participant notification, communications and evacuation plan)
- b) **Fire prevention and suppression plan** (if generators or other spark generating equipment will be used)
- c) **Environmental and Operations impact mitigation strategies** (biological, hydrological, chemical, scenic, cultural, Colorado Springs Utilities infrastructure)
- d) **Enforcement plan** (course marshals, sheriff presence, park rangers)
- e) **Crowd controls and parking plan** (spaces needed, locations, controls, security, closures)
- f) **Sanitation and cleanup plan**

SCIENTIFIC RESEARCH OR OBSERVATIONAL STUDY PROPOSAL OUTLINE

- Applicant must be affiliated with a natural resource agency, professional organization, institute of higher education, or research organization staffed by natural resource professionals.
- Strong preference will be given to studies unique to the Watershed of interest.
- The proposed scientific research:
 - cannot be for commercial or industrial gain
 - must not be reliant on Colorado Springs Utilities' funding
 - must NOT have a detrimental effect on the natural and cultural resources of the Watershed Property, water quality, or Colorado Springs Utilities' operations
 - must result in a deliverable to Colorado Springs Utilities, including all data collected and a report detailing the methods, results, and discussion of the study
 - should contribute to scientific understanding

Any product or publication will include recognition of Colorado Springs Utilities' cooperation by stating the following language:

"(INSERT NAME OR ORGANIZATION) thanks Colorado Springs Utilities for its cooperation with (INSERT NAME OR ORGANIZATION) in its efforts to conduct this scientific research. Colorado Springs Utilities has not contributed to nor does it guarantee the accuracy and comprehensiveness of this study."

- Research must meet or fall under relevant scientific or cultural categories:

Scientific

1. Biological (Zoological or Botanical)
2. Chemical (Geochemical)
3. Hydrological
4. Geological (Paleological)
5. Atmospheric/Climatological

Cultural

1. Historical
2. Anthropological
3. Archeological

- 1) **Name and Location of the proposed activity** (as precise as possible)
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 - b) Staging areas, locations and routes. Label routes and locations clearly.
 - c) Please include a clearly labeled graphic representation in an 8 ½ x 11 or 11 x 17 format. KML (Google Earth) or GIS SHP files are accepted for identifying routes and locations.
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 - a) Public entities
 - b) Private landowners

5) Include a copy of the Certificate of Liability Insurance Form

6) Introduction to the Research

- a) Title of Research
- b) Detailed Description of Scientific Research or Observational Study
- c) Purpose and need
- d) Hypothesis (if applicable)

7) Literature Review

- a) A well-written, conceptually organized synthesis of the results of your search on previous work

8) Data Collection

- a) Data description
- b) Methods such as:
 - i) Statistical design.
 - ii) Observational strategies
 - iii) Data cataloging
- c) Materials and equipment

9) Analysis Method(s)

10) Project Budget and Timeline

11) Requested Method of Travel

- a) Form of Travel (i.e. Car, Foot, Bicycle)
- b) Plan for Ingress / Egress
- c) Coordination with Colorado Springs Utilities Personnel

12) Impact Mitigation Plan

An Impact Mitigation Plan describes environmental impacts, scenic impacts, operational impacts of the Observational Study, as well as proposed mitigation

- a) Environmental impacts (biological, hydrological, chemical).
- b) Scenic impacts
- c) Cultural impacts
- d) Colorado Springs Utilities' operational impacts
- e) Other possible impacts
- f) Proposed mitigation for above impacts

13) Safety Plan

- a) Potential hazards of each study task and actions to mitigate hazards
- b) Emergency evacuation plan

14) Qualifications of Applicant (e.g. curriculum vitae)

15) Names and Contact Numbers of All People Requiring Access

16) How results will be delivered to Colorado Springs Utilities