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John Green
El Paso County Planning and Community Development Department
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Gary L. Hammann
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Peyton, CO 80831
Gary.hsquared@gmail.com

Re: Ohana Acres Replat

Dear Mr. Green,

This firm represents the Upper Black Squirrel Creek Ground Water Management District (“the UBS District”). Applicant, Gary L. Hammann, provided materials in support of his application to replat a minor subdivision of 19.31 acres into four lots. Ohana Acres is located within the UBS District’s boundaries. The UBS District reviewed the Applicant’s application materials and submits the following comments:

Water Service for Ohana Acres

Section 30-28-133(3)(d), C.R.S. requires counties to adopt regulations that require “adequate evidence that a water supply that is sufficient in terms of quantity, quality, and dependability will be available to ensure an adequate supply of water” for proposed subdivisions. El Paso County requires, as part of every application for a final plat, a water resources report that includes “[p]roof of ownership or right of acquisition of use of existing or proposed water rights sufficient in quality, quantity and dependability to serve the proposed use including well permits, court decrees, well applications, export permits, etc..” See El Paso County Land Development Code § 8.4.7(B)(3)(c)(i).

Applicant has not provided evidence of a suitable and available water supply to meet the demands of Ohana Acres. Applicant’s water resources report indicates that water will be sourced from four new wells in the Denver Basin aquifers. Applicant has also provided water determination 3714-BD in the Arapahoe aquifer and four well permit applications for new well

permits from that determination. Applicant has not, however, provided actual well permits providing the right to drill these wells. In addition, any well permits in the Arapahoe aquifer would require a replacement plan because the Arapahoe aquifer is not-nontributary and withdrawals will impact the alluvium of the Upper Black Squirrel Creek basin without a replacement plan. Applicant has not provided evidence of this required replacement plan. Therefore, Applicant's application should be denied until evidence of well permits and a corresponding replacement plan are provided.

Wastewater Treatment

According to the Application, discharged wastewater will be treated through individual on-site wastewater treatment systems. See Letter of Intent at 2. The attached memorandum from the UBS District's hydrogeologist, Mr. Mike Wireman, describes the UBS District's concerns with individual on-site wastewater treatment systems.

The UBS District reserves the right to provide additional comments at a later date founded upon information not readily ascertainable from the above-referenced application.

Sincerely,



Mirko L. Kruse
for
TROUT RALEY

cc: UBSCGWMD Board of Directors

Encl.: Mike Wireman, Technical Memorandum, Issues/Concerns Related to Discharge of Wastewater Effluent to the Upper Black Squirrel Alluvial Aquifer from Densely Spaced Individual Sewage Disposal Systems (Feb. 16, 2021).