

Jay Newell

From: Van Der Poel - DNR, Melissa <melissa.vanderpoel@state.co.us>
Sent: Thursday, April 6, 2023 6:05 PM
To: Jay Newell
Subject: Stormwater infiltration facility

Dear Mr. Newell,

In response to your email, I understand that you are designing onsite detention and stormwater quality pond(s) for a development in El Paso County, and that the detention pond(s) are proposed to be designed as a full infiltration facility for storms at or below the 100-year event. Flows resulting from larger storms would be designed to bypass the pond(s) by means of an emergency overflow. You have indicated that El Paso County is concerned that a full infiltration facility which is designed to release all detained volumes (those up to and including that from a 100-year event) by infiltration to the underlying soil, in lieu of release as surface flow, may injure downstream rights. It is this concern that the county would like the Office of the State Engineer (DWR) to comment on.

DWR is responsible for administration of water rights within Colorado's water right priority system. DWR administers stormwater detention facilities in accordance with Section 37-92-602(8), C.R.S. This statute directs that stormwater detention facilities shall be exempt from administration if they comply with the specific criteria described in Section 37-92-602(8). **Note that DWR has not been given the statutory responsibility to review construction plans, or approve or deny stormwater detention facilities.**

However, as a courtesy, DWR may provide informal comments on such facilities in the course of DWR's normal water administration duties. Based on the information provided in your previous email regarding the subject development site and the soils at this site (*"Site soils are Hydrologic Soil Group Rating A (Blakeland loamy sand, 1 to 9 percent slopes [8]) and an associated site specific geotechnical report indicates existing onsite infiltration rates of 2.25 in/hr to 9.50 in/hr. My research and site walk with PAFB personnel along the south property line did not turn up any specific outfall (storm sewer, channel, swale, etc.) from the site to downstream properties or conveyances. These factors lead me to consider that existing runoff may currently infiltrate onsite."*), your proposal to create a full infiltration facility for storms at or below the 100-year event, appears reasonable.

If you or the county have further questions, let me know.

Sincerely,

Melissa A. van der Poel, P.E.
Team Leader, Team 237
Division of Water Resources



Phone 303-866-3581 ext 8208
1313 Sherman St., Room 818, Denver, CO 80203
melissa.vanderpoel@state.co.us | www.colorado.gov/water