

Morning John,

If, as design engineer, you are telling me that there will be no constructed earthen berm at ANY elevation above the existing natural grade to cause temporary or permanent detention of water that builds up any head/pool of water, then it is not a dam. I do not consider a natural depression (if that is what it will remain as) with a natural overflow point to be a dam that create enough buildup of water with potential energy to fail a constructed structure and cause downstream damage.

Thanks.

John Hunyadi, PE

Chief, Dam Safety Branch



T: 719.227.5294 | C: 719.258.0859

4255 Sinton Road, Colorado Springs, CO 80907

john.hunyadi@state.co.us

On Fri, Dec 10, 2021 at 10:49 AM John Fornander <john@tnesinc.com> wrote:

I've attached the historic drainage basin exhibit from the approved drainage report above. It shows two existing sub-basins on the site, each characterized by an existing depression (the hatched areas). Overflows from the existing depressions within the site (if they ever occurred) would drain northeast towards the intersection of Curtis and Davis roads. The developed runoff will follow the historic paths.

There are quite a few stock ponds and retention areas in the upstream basins that feed our site.

We currently have about 92 acre-feet of storage volume in Retention Area A between the 6528 and 6536 contours. Overflows from this retention area would (if they ever occurred) drain to Retention Area B which has another 7 acre-feet of storage volume between the 6528 and 6530 contours. Overflows from Retention Area B (if they ever occurred) would drain towards the intersection of Curtis and Davis roads where we plan to install a culvert. No 100-year flows would reach this point because of the substantial existing retention area in either the existing or proposed conditions so this culvert is only designed to convey flows beyond the 100-year flows.

In summary, we wish to maintain the existing drainage retention areas within our site to maintain the current hydrologic conditions.

Thanks!

John Fornander

Designer

Terra Nova Engineering, Inc.

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From: Hunyadi - DNR, John <john.hunyadi@state.co.us>

Sent: Friday, December 10, 2021 9:35 AM

To: John Fornander <john@tnesinc.com>

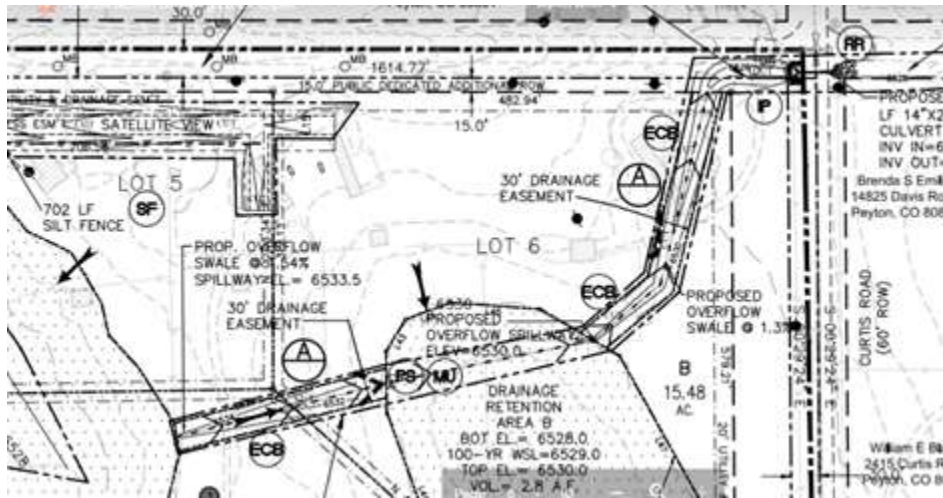
Cc: Grimes - DNR, Chris <chris.grimes@state.co.us>; doug.hollister <Doug.Hollister@state.co.us>

Subject: Re: Retention Area Proposed in El Paso County

Hi John,

I guess I need better understanding then. A quick look about spillway elevations, drainage retention areas, volumes of 2.8 AF, etc. gives me the initial impression that some

kind of earthwork will cause some ponding of water whether intended as temporary detention or permanent retention. I guess I need further clarification from you then to firm up the understanding. I don't have the full topo, is it all below grade 2.8 af of retention?



John Hunyadi, PE

Chief, Dam Safety Branch



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On Fri, Dec 10, 2021 at 8:14 AM John Fornander <john@tnesinc.com> wrote:

Should I just leave the Dam information section blank since we aren't proposing one?

John Fornander

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From: Hunyadi - DNR, John <john.hunyadi@state.co.us>

Sent: Friday, December 10, 2021 8:01 AM

To: Grimes - DNR, Chris <chris.grimes@state.co.us>

Cc: John Fornander <john@tnesinc.com>; doug.hollister <Doug.Hollister@state.co.us>

Subject: Re: Retention Area Proposed in El Paso County

Morning,

Yes, in order to be consistent with all other situations, I think it is best for Terra Nova to fill out this NOI application that is representative of their site conditions.

John Hunyadi, PE

Chief, Dam Safety Branch



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On Thu, Dec 9, 2021 at 11:42 AM Grimes - DNR, Chris <chris.grimes@state.co.us> wrote:

Thanks John. That sounds good. I believe you will just need to complete and submit via email the Non-jurisdictional Water Impoundment Application (attached) to John Hunyadi.

John H. -- is that correct?

Chris Grimes

Ground Water Commission Staff



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On Thu, Dec 9, 2021 at 11:33 AM John Fornander <john@tnesinc.com> wrote:

Thank you all for getting back to me so quickly. We have no intention of permanently retaining any water. We just want to leave the land in its current state. Is there a process with forms that we need to fill out to get approval or is correspondence with you all the way to go? Thanks,

John Fornander

Designer

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From: Grimes - DNR, Chris <chris.grimes@state.co.us>

Sent: Thursday, December 9, 2021 10:49 AM

To: Hunyadi - DNR, John <john.hunyadi@state.co.us>

Cc: john@tnesinc.com; doug.hollister <Doug.Hollister@state.co.us>

Subject: Re: Retention Area Proposed in El Paso County

Hi All,

Thanks for including me in this email, John. Generally, the Colorado Ground Water Commission has no problem with non-jurisdictional dams in the designated groundwater basins (and we would be ok with this one), provided:

- **All water behind the structure is released within 72 hours of a storm event.** If the intent is to permanently retain water behind the structure, the owner will need to obtain a Commission approved replacement plan (aug. plan) to offset any injury that could occur to the aquifer.

- **No groundwater is exposed resulting from the construction of the dam.** If any groundwater is exposed during construction, that would need to be appropriately addressed by backfilling to a point where groundwater is no longer exposed OR obtain a Commission approved "well permit" and replacement plan (aug. plan) to offset any injury that could occur to the aquifer.

Regarding construction standards involving the dam and its associated outlets, the Commission defers to the Division Office and the Dam Safety team on that.

John - I visit with Mike Moore fairly regularly over at Elbert County (i think hes in planning and development). Mike has been sending folks my way with questions about ponds in that county as he knows the Commission has been taking a closer look at them in that area over the last couple years. Feel free to reach out to me to discuss if you have more questions.

Chris Grimes

Ground Water Commission Staff



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chris.grimes@state.co.us / www.water.state.co.us

On Wed, Dec 8, 2021 at 5:35 PM Hunyadi - DNR, John <john.hunyadi@state.co.us> wrote:

Hi John,

This is a unique area that is part of the designated basin that has a different approach to surface water retention. I have cc'd Chris Grimes here on that who is in charge of that and will ask him to weigh in.

On a quick glance, I am having a bit of trouble ascertaining jurisdictional height and acre-ft of volume behind your structure. Pushing forward, we need to hear a response from Chris with respect to a

any ability to retain water in this area without a dedicated water right.

I would need you to fill out the attached NOI to construct a non-jurisdictional dam form with the key information I request in the example letter I have attached to the City of CO Springs.

Thanks. John H.

John Hunyadi, PE

Chief, Dam Safety Branch



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john.hunyadi@state.co.us

On Wed, Dec 8, 2021 at 4:51 PM John Fornander <john@tnesinc.com> wrote:

Hi, I was given you contact information by El Paso County's engineering department. They told me that I'd need to get state approval for a retention area on our site (14655 Davis Road, Peyton, CO 80831). We are not proposing to change the retention area from its existing natural condition very much, in fact, we'd like to not change it at all. I have attached our plans above; The sixth sheet gives an overall view of the site and retention area. I could provide anything else you might need, such as the previously approved drainage report. I left a phone message as well, so please give me a call if you'd like. Thank you,

John Fornander

Designer

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