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El Paso County Planning and Community Development Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Re: Davis Sketch Plan

El Paso County Planning and Community Development Department:

This firm represents the Upper Black Squirrel Creek Ground Water Management District (the "UBSC District"), a formed and operating ground water management district with the powers enumerated in the Colorado Ground Water Management Act, C.R.S. § 37-90-101 *et seq.* The UBSC District has reviewed the request for approval of the sketch plan proposing up to 92 single-family residential lots with a density of .23 dwellings per acre with approximately 51.45 acres as public and private open space tracts, a public park, public trail easements, and buffer zones on the 398.91-acre Davis Ranch submitted by William Guman & Associates, Ltd. ("Applicant") and provides the following comments for your review and consideration:

Compliance with the District's Rules

The property is located within the UBSC District's boundaries and therefore Applicant must comply with all the UBSC District's rules and regulations. In particular, Applicant must comply with Rule 17(B), which limits withdrawals from large capacity wells in subdivisions. Rule 17(B) provides that "withdrawals shall not exceed .5 acre-feet per year per single family residence, single condominium unit, apartment unit, single unit with a multiple-dwelling unit, or equivalent within the Subdivision or cluster development supplied by the well. In the event a Subdivision or cluster development is supplied by multiple wells, production from all wells supplying the subdivision or cluster development shall not exceed the product of (the number of single family residences, single condominium units, apartment units, single units within a multiple-dwelling unit or equivalent within the Subdivision)X(.5) acre feet per year." Rule 17(B) also states that "[i]n no event shall production from the well exceed the rate or amount set forth in any determination of water rights issued for the well by the Colorado Ground Water Commission."

Shallow Groundwater

Shallow groundwater exists throughout the area underlying Davis Ranch. Accordingly, structures developed in this area often require underdrains to capture and drain water that would otherwise flood those structures. Any underdrains will require a large capacity well permit and those well permits will require a replacement plan in compliance with the Ground Water Commission's Designated Basin Rule 5.6. Any such replacement plan should meet the

requirements of Rule 5.6, including by replacing evaporation and evapotranspiration associated with the exposure of groundwater caused by the underdrain. Applicant's application recognizes the need to investigate whether shallow groundwater exists on each lot but includes no information on the use of underdrains and how Applicant intends to meet the requirements of Rule 5.6.

Water and Wastewater System Policy

The application states that Applicant intends to utilize onsite wastewater treatment systems. The proliferation of septic systems within the Upper Black Squirrel Creek Designated Basin degrades the basin's alluvial water quality and threatens the already over-appropriated groundwater resources of the basin. Accordingly, the UBSC District has enacted a policy that "encourages the uses of central (municipal) water and wastewater systems, as opposed to the use of individual wells and septic systems in any proposed subdivision consisting of three or more lots." In addition, the El Paso County Land Development Code states that "[e]very reasonable effort shall be made to provide a central wastewater system." El Paso Land Dev. Code § 8.4.8(B)(1)(a). The location of this proposed subdivision is within a few miles of the Woodmen Hills Wastewater Treatment Plan and the subdivision could potentially connect to Woodmen Hills Metropolitan District's central wastewater service. Failing to do so is a violation the UBSC District's policy, and no evidence is provided that the Applicant took every reasonable effort to provide connection to the central wastewater.

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

Sincerely,



Lucas E. O'Brien
for
TROUT RALEY