EL PASO COUNTY
Office of the County Attorney
Civil Division

KENNETH R. HODGES, COUNTY ATTORNEY

Nathan J. Whitney, First Assistant County Attorney | Steven A. Klaffky, Chief Deputy County Attorney

MEMORANDUM

TO: Kari Parsons
FROM: Lori L. Seago
DATE: October 15, 2026
RE: SF2610 Sterling Ranch East Filing No. 6

A sufficient water supply finding was previously made by the BoCC for this subdivision under SP244. Applicant now proposes a change in the water supply pursuant to LDC 8.4.7 (E). Under (E)(2), the PCD Director must make an administrative determination as to whether the proposed change in water supply is substantial. If the Director deems the proposed change as substantial, it must be approved by the Board of County Commissioners. If not, the proposed change can be approved administratively. I therefore recommend the following process:

1. PCD Director makes an administrative determination as to whether the proposed change in water supply for this subdivision is substantial. It is my recommendation that the change is not substantial, since the proposed increased in the estimated water demand is less than 10% (from 71.46 AF/year to 73.7 AF/year in the current documentation).
2. If the Director determines that the change is substantial, I recommend the applicant be required to provide a Water Resource Report detailing the estimated demand and that the application be referred back to my office for a more detailed review for consideration by the Board of County Commissioners, pursuant to § 8.4.7 (E)(3).
3. If the Director determines that the changs is not substantial, I recommend that the Director approve the requested change in water supply pursuant to § 8.4.7 (E)(4). I further recommend that a) such approval be conditioned on a favorable recommendation from the Colorado Division of Water Resources and b) the BoCC be advised in the staff report and in the public hearing that no finding of sufficient water supply is required with this application because water sufficiency was previously found and a change in water supply was administratively approved.

200 South Cascade Avenue | Colorado Springs, Colorado | 80903

Office: 719.520.6485 | Fax: 719.520.6487