



Montaño • Freeman • Sinor • Thompson P.C.

Mirko L. Kruse, Esq.
mkruse@troutlaw.com
303.339.5825

1120 Lincoln Street • Suite 1600
Denver, Colorado 80203-2141
303.861.1963
www.troutlaw.com

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Kari Parsons
El Paso County Planning and Community Development Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910
kariparsons@elpasoco.com

Andrea Barlow
N.E.S. Inc.
619 N. Cascade Ave. Suite 200
Colorado Springs, CO 80903
abarlow@nescolorado.com

SR Land LLC
20 Boulder Crescent Suite 102
Colorado Springs, CO 80903

Re: Sterling Ranch Phase 2 Preliminary Plan

Dear Ms. Parsons:

This firm represents the Upper Black Squirrel Creek Ground Water Management District (“the District”). Applicant, N.E.S., Inc., on behalf of SR Land LLC, provided materials in support of its application for a Preliminary Plan for its proposed Sterling Ranch Phase 2 subdivision (“Sterling Ranch Phase 2”). Sterling Ranch Phase 2 will consist of 212 single family units on 75 acres, 8 tracts for landscaping, drainage, and utilities, and a 4 acre tract for future commercial use. Sterling Ranch Phase 2 is outside the District’s boundaries. The District reviewed Applicant’s application materials and submits the following comments:

Water Export

Sterling Ranch Phase 2 lies outside the District’s boundaries but states in its letter of intent that it will have the “opportunity to connect” with both the Cherokee Metro District and Woodmen Hills Metro District water delivery systems. *See* Letter of Intent at 7. Because Cherokee and Woodmen Hills obtain their supply primarily from wells within the District, if such a water supply connection occurred in the future it would constitute an export of designated basin water out of the basin and may require export approval pursuant to District Rule 7.

Wastewater Quality

Applicant states that wastewater from Sterling Ranch will be discharged into the Meridian Metropolitan District's treatment facilities. *Id.* The District has water quality concerns with Applicant's proposed wastewater plan. Meridian discharges its treated effluent into the UBS Basin at two locations (Woodmen Hills' wastewater facility located in the northern portion of the UBS Basin and Cherokee's wastewater facility in the southern end), and this effluent becomes subject to all rules and regulations of the Colorado Ground Water Commission and the District as designated groundwater. Currently, Meridian's discharges at the Woodmen Hills wastewater facility do not meet the Water Quality Control Commission's site-specific water quality standards for groundwater discharges. Compliance with all applicable site-specific water quality standards must be required to continue to add additional wastewater discharges and to ensure that water quality within the UBS Basin is not impaired. Discharge at the Cherokee facility is also not currently in compliance with site-specific water quality standards for groundwater discharges but is on track to come into compliance. Due to the location of the discharge at the southern end of the Upper Black basin, it is currently unclear how applicant would "convert some reusable flows to available physical supplies." *Id.* Applicant should provide more information and explanation for this assertion.

The 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