August 4, 2024

To: Douglas County Planning Commission

**Pine Canyon Planned Development- Water Appeal**

On Monday, August 5th, the Douglas County Planning commission will hear an appeal to Douglas County Zoning Resolution (DCZR) Section 18A from the developers of the Pine Canyon Planned Development (JRW Family Limited Partnership, LLLP). The developers are asking for a residential indoor demand standard of 0.20 acre-feet/year per residence **instead o**f the County’s residential demand standard of 0.75 acre-feet/year per residence as described in DCZR 18A. An approval of this appeal would allow for many more residences and businesses than what would be allowable under DCZR 18A utilizing the developer’s existing water rights. An approval of this appeal would set a bad precedence for other developers in Douglas County.

It is my personal opinion that this appeal should have been heard by the Douglas County Water Commission (DCWC) prior to being presented to the Douglas County Planning Commission. The DCWC was formed to study and prepare a water master plan for Douglas County. The Denver Basin groundwater is known to be declining and the developer is planning to use 100% groundwater to serve the development. Additionally, in Article 1- Purpose of the Douglas County Water Commission By-Laws, it states that, “The Water Commission is to advise the Board of County Commissions on water topics identified in the Douglas County Comprehensive Master Plan, addressed in state and federal legislative items, and related to regional and statewide issues.”

The Office of the State Engineer reports that the developer has approximately 709 acre-feet/year of adjudicated groundwater rights, half of which are in the Dawson and Denver formations of the Denver Basin. These upper formations are typically considered important for individual well owners in rural Douglas County, who do not have access to any other water supply.

The non-renewable groundwater supply proposed by the developer is based solely on paper water decrees and is of unknown real capacity. The developer does not have enough paper water rights to comply with the 0.75 acre-feet/year criteria in DCZR 18A for this development, let alone have enough proven physical water.

The DCWC is working towards a robust analysis of the groundwater situation in Douglas County. Declining amounts of groundwater are real concerns and most of the municipalities and larger water districts in Douglas County are working towards obtaining renewable water for future needs.

**I urge the Planning Commission not to approve the water appeal**, and for the Douglas County Planning Department to bring the issue back to the Douglas County Water Commission for discussion and consideration.

Respectfully,



Tricia Bernhardt

Larkspur, Colorado