



## Cherry Creek Basin Water Quality Authority

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December 16, 2022

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Douglas County

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To: Local Land Development Review Agency  
From: Cherry Creek Basin Water Quality Authority  
Jane Clary, Technical Manager

Re: Change to Cherry Creek Basin Water Quality Authority Land Use Reviews

The Cherry Creek Basin Water Quality Authority has changed its land use review process, effective January 1, 2023.

Historically, the Authority has conducted technical reviews of proposed development plans for compliance with construction-phase and post-construction stormwater quality requirements described in Regulation 72, the Cherry Creek Basin Control Regulation. Since that time, local governments have progressively become more experienced in ways to minimize the discharge of pollutants during and after development activities, as demonstrated by the minimal number of referrals where the Authority did not recommend approval of projects to the local government. Additionally, recent municipal separate storm sewer system (MS4) permits are more explicit regarding requirements for compliance with Regulation 72. For these reasons, the Authority believes that the local government's review is sufficient to ensure compliance with Regulation 72 requirements. In cases where the local government would like additional review or consultation with the Authority, the Authority's Technical Manager will be available to discuss questions or arrange an independent review if needed.

Effective January 1, 2023, local governments will continue to notify the Authority of proposed development plans by email addressed to [LandUseReferral@ccbwwqa.org](mailto:LandUseReferral@ccbwwqa.org). The Authority will respond by email or other established electronic system with the following statement:

The Cherry Creek Basin Water Quality Authority (Authority) acknowledges notification from [*local agency*] that the proposed development plans for [*development name or project ID*] have been or will be reviewed by the [*local agency*] for compliance with the applicable Regulation 72 construction and post-construction requirements. Based on the Authority's current policy, the Authority will no longer routinely conduct a technical review and instead the Authority will defer to the [*local agency's*] review and ultimate determination that the proposed development plans comply with Regulation 72.

If a technical review of the proposed development plan is needed, please contact [LandUseReferral@ccbwwqa.org](mailto:LandUseReferral@ccbwwqa.org). The review may include consultation with the Authority's Technical Manager to address specific questions or to conduct a more detailed Land Use Review, if warranted.

We welcome input from local agencies if refinements to this process are needed as experience is gained with this revised referral process. **Additionally, we request a reply email confirming your receipt of this email and understanding of the new land use review process for the Authority.**