

## **AREAWIDE WATER QUALITY MANAGEMENT PLAN AMENDMENT PROCESS**

(Revised and Approved June 28, 2007)

The Areawide Water Quality Management Plan (Regional Plan) adopted by the North Front Range Water Quality Planning Association (NFRWQPA) details the regional considerations for protection of water quality. In so doing, it projects growth and development trends in the area and establishes a rational plan for accommodating growth. A plan objective is to avoid unacceptable adverse environmental impacts which might be caused by allowing wastewater services to be provided through numerous entities for facilities in an uncoordinated fashion. The Regional Plan amendment process is designed to maintain flexibility in the plan so that unanticipated events can be accommodated when it is shown to be in the best interests of the region. These events include site approvals for new facilities and service area boundary changes. For site approvals, the Site Approval Application Review Process must be pursued in conjunction with the plan amendment process.

When new domestic wastewater treatment works (i.e. treatment facilities, lift stations, or interceptors) are proposed which are not identified in the Regional Plan or when expansions or modifications of existing facilities are proposed which would allow them to serve a greater population than that specified by the Regional Plan, State regulations indicate that the Regional Plan should be amended to incorporate those proposed facility changes before Site Approval can be granted. Amendment of the Regional Plan adds time to the site approval process, but the added time can be minimized by expeditious pursuit of a plan amendment as soon as possible prior to submission of the site approval application.

Also, any significant modification of the service area boundaries of an existing Operations Agency or any formation of a new Operations Agency requires an amendment of the Regional Plan. A new agency must be listed as a designated Operations Agency, and the service area boundaries must be consistent with what is delineated in the Regional Plan in order for review and approval of siting of new wastewater collection and treatment facilities according to State Regulations. An application for a plan amendment should be submitted to NFRWQPA by the responsible Management Agency.

The following Regional Plan amendment process details the criteria for determining whether a given project would require no amendment, a minor amendment, or a major amendment, and it presents the amendment procedure. An applicant should be aware of this procedure and the supplemental information and processing time it requires.

### **A. Determination of Amendment Requirement**

1. The local coordinator to whom the proposal is first submitted will make the preliminary determination as to whether a minor or major plan amendment is required. The local coordinator will normally be the

representative of Larimer or Weld County who has the responsibility for facilitating local review.

2. The local coordinator may refer the project to the NFRWQPA Manager for consultation and concurrence if there is any question on the amendment requirement.
3. The NFRWQPA has the final responsibility of determining the plan amendment requirements.

**B. Basis for Determination**

1. No plan amendment will be necessary if the proposed project is in conformance with the Regional Plan.
2. A plan amendment will not normally be required when:
  - a. The project proposes changes in treatment process for improving water quality that do not increase the capacity of the treatment plant.
  - b. The project is a pumping station to serve an area that is within the approved service area of the applying Operations Agency, with the population to be served already included in the Regional Plan projections.
  - c. The project proposes a minor adjustment in service area boundaries involving less than 10 acres.
3. A minor amendment will normally be deemed necessary if the proposed project involves providing sewerage service which meets one of the following:
  - a. The amount of sewage generated and served through a treatment facility, pump station, or interceptor is less than 50,000 gpd (population equivalent of 667 people based on 75 gpcd).
  - b. The addition of more than 10 but less than 160 acres to a service area.
  - c. The addition of an area to a defined service area that does not cause an increase of projected population greater than 667 people.

Minor amendments are changes for which water quality impacts or major conflicts are not anticipated and must be agreed upon by the Management Agency, NFRWQPA, and the State Water Quality Control Division.

4. An amendment will be considered major if it involves a proposal to serve a new area or provide increased capacity more than that stated above for a minor amendment. These major amendments warrant the highest level of attention and priority as stated in the "Continuing Planning Process for Water Quality Management in Colorado" adopted by the State Water Quality Control Commission.

#### C. Amendment Procedure

1. Upon initial submittal of a site approval application to the appropriate County, or the submittal of a plan amendment application to NFRWQPA by the responsible Management Agency, a determination of whether the application is complete will be made first, generally within 30 days of submittal. Those deemed incomplete will be returned to the applicant.
2. Once an application is found to be complete, the decision on whether a plan amendment is necessary and whether it is major or minor will be made. If an amendment is required, it will be drafted by NFRWQPA within 30 days.
3. During the next 60 days the draft amendment will be circulated by NFRWQPA to the project sponsor, applicant Management Agency, local jurisdiction planning and health departments, other potentially affected management and operations agencies, and the State Geologist; and comments will be requested.
4. All amendments will be scheduled for review and discussion by the NFRWQPA in a public meeting at the next available opportunity.
5. For a minor amendment the NFRWQPA will decide whether to approve it at that public meeting.
6. For a major amendment, the NFRWQPA will schedule a public hearing at its next meeting and decide whether to approve the proposal.
7. Approved plan amendments will be submitted to the Water Quality Control Division (WQCD) for their concurrence. The plan will then be submitted to the WQCC on a semi-annual basis on May 1 and November 1 of each year. To meet these submittal dates, the required submittal dates to the NFRWQPA for a complete request for a major plan amendment are January 1 and July 1 of each year.

#### D. Project Information Necessary for Amendment

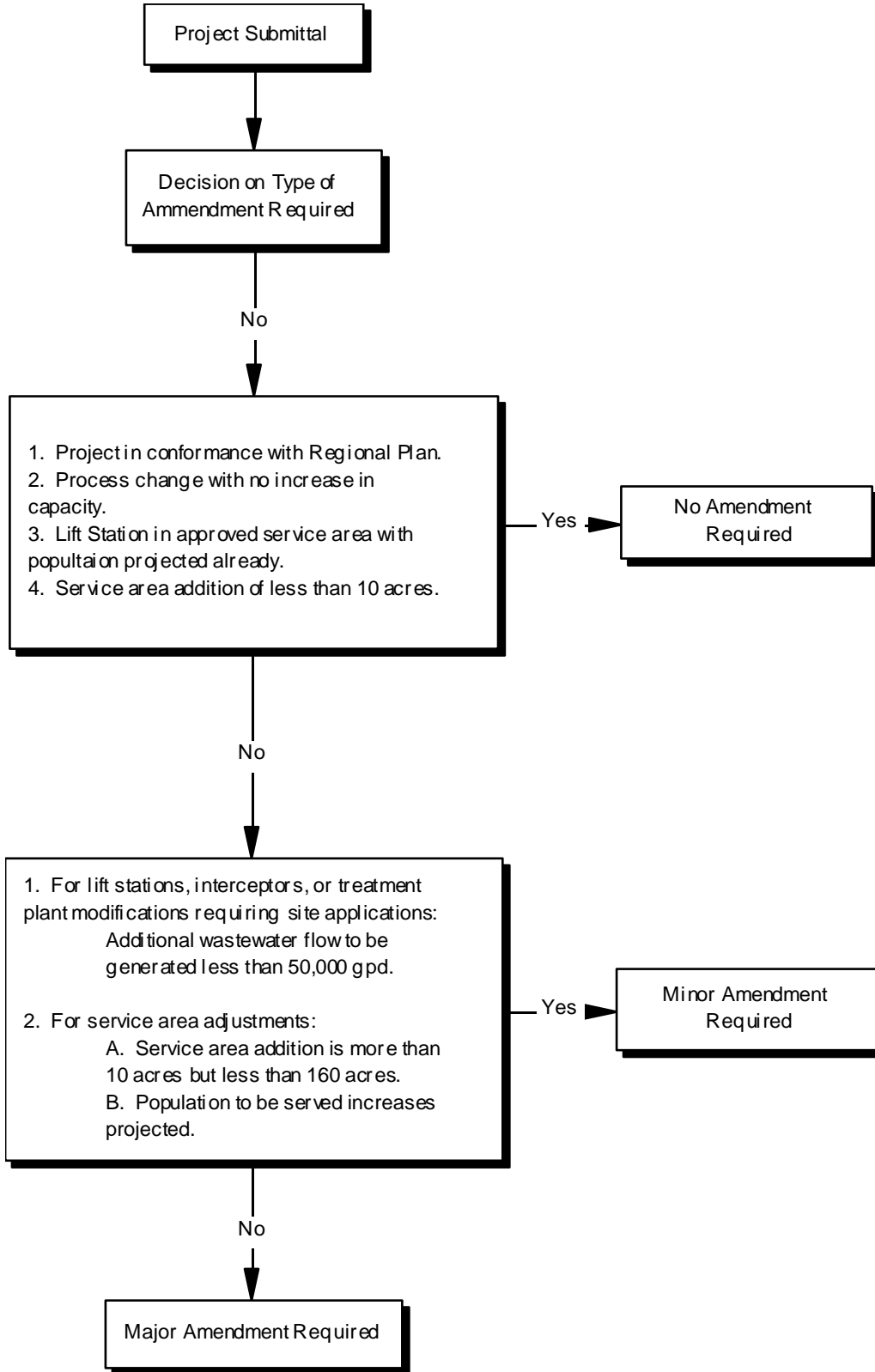
The following list of information must be submitted for a project (where applicable) to allow determination of whether a plan amendment is necessary and to permit preparation and processing of the amendment. Most of this

required information is also necessary to process a site approval application. (See list included in Site Approval Process.)

1. Beginning January 1, 2008, all public wastewater treatment agencies submitting a plan amendment request (including a service area boundary change) will be requested to have in place a current utility plan which has been recognized or conditionally recognized by the NFRWQPA prior to the request. Other agencies not falling into this category will include utility plan information in conjunction with a plan amendment request.
2. Location of the proposed facility, geographical area it is intended to serve by specific delineation of projected service area boundaries on a map, and the existing population of the proposed service area and the 10 and 20 year population projections.
3. Design hydraulic and organic loading capacity of the proposed facility and the expected initial flows and loadings and the projected flows and loading in 10 and 20 years.
4. The names of existing sewer service entities within 5 miles of the proposed service area and facility, a map indicating their boundaries, and direction of gravity flow from the proposed area.
5. Estimated construction costs for the proposed facility, and an estimate of the cost differential between building the proposed facility and the least costly alternative for connecting to an existing facility including a map indicating construction required to accomplish any such connection.
6. A letter from all existing sanitation districts or other sewer service entities within 5 miles stating the feasibility of providing service to the service area and the justification for not connecting to an existing facility where feasible.
7. Identification of other permittees discharging to the same receiving water body and downstream discharges on main streams and any effect the proposed discharge would have on any of them.
8. Proximity to the nearest domestic drinking water source or diversion down gradient from the discharge.
9. Proposed permit effluent limits as developed by the Water Quality Control Division of the State Department of Health for any discharge.
10. Analysis of treatment alternatives considered and a detailed justification for choosing the proposed alternative in terms of surface and/or groundwater quality and other environmental impacts and economic and institutional considerations.

11. Institutional arrangements such as contract and/or covenant terms for all users. This must include Articles of Incorporation and By-laws for homeowners groups to include powers and authority to insure proper operation and maintenance of the facility for its projected life.
12. Management capabilities for controlling the wastewater throughout and maintaining treatment within the capacity limitations of the facility on a continuous long-term basis. This would include user contracts, operating agreements, pretreatment requirements, etc.
13. Potential for water reuse including water rights limitation and any water augmentation plan.
14. Present population and flow commitments of existing facilities to which the development will connect.
15. An indication as to how this project relates to existing and envisioned facilities and the needs of a regional service area for the entire drainage basin.
16. For service area additions, a map delineating the additional area requested and a report on the reasons that this area would best be served by the entity requesting the expansion of their service area. The service agency requesting an amendment to its wastewater utility service area must provide adequate long term planning information including, at a minimum, the following factors over a 20 year planning period.
  - The identified service area.
  - Population datasets, forecasts and land use status.
  - Collection system requirements.
  - Treatment facility requirements.
  - Sequence and timing of capital projects.
  - Rates and fees necessary to finance improvements when required.
  - The entity requesting the amendment must also submit, at a minimum, the following current information:
    - ✓ Population
    - ✓ Peak and average flow
    - ✓ Peak and average loading
    - ✓ Inflow / infiltration
    - ✓ Treatment capacity, hydraulic and organic
    - ✓ NPDES permit requirement and constraints

# PLAN AMENDMENT PROCESS



## PLAN AMENDMENT PROCESS FLOW CHART

- I. Decision on Amendment
  - A. Local Coordinator for County makes preliminary decision on need for plan amendment.
  - B. NFRWQPA confirms decision.
  
- II. Type of Amendment Required
  - A. No amendment required:
    - 1. If project is in conformance with Regional Plan.
    - 2. For a change in treatment process to improve water quality while not increasing plant capacity.
    - 3. If project is a lift station within approved service area to serve population included in Regional Plan population projections.
    - 4. For an adjustment in service area boundary less than 10 acres.
  - B. Amendment required for lift stations or interceptors or treatment plant modifications requiring site applications and not consistent with Regional Plan.
    - 1. Minor amendment required if project to generate less than 50,000 gpd of wastewater.
    - 2. Major amendment if low to be generated is greater than 50,000 gpd.
  - C. Amendment required for service area adjustments.
    - 1. Minor amendment required if additional area added to service area of more than 10 acres but less than 160 acres or projected population increase is less than 667 people.
    - 2. Major amendment required if additional area is larger than 160 acres of has projected population of greater than 667 people.
  
- III. Amendment Procedure
  - A. Determination is made whether site approval or plan amendment application is complete within 30 days of submittal. Those not complete are returned to applicant.
  - B. Determination of what type of plan amendment is required is made and amendment drafted within 30 days.
  - C. Draft amendment is circulated for comment to all concerned entities during next 60 days.
  - D. Amendment is scheduled for review at next NFRWQPA meeting following comment period.
  - E. Decision on minor amendments can be made at the review meeting.
  - F. For major amendments, a public hearing is noticed for the next NFRWQPA meeting and the decision made after the hearing.
  - G. Approved amendments are submitted to the WQCD for concurrence. If approval by the WQCC is required, amendments are submitted to the WQCC semi-annually on May 1 and November 1. Complete applications for major plan amendments should be submitted by January 1 or July 1 to meet the respective WQCC dates of May 1 and November 1.