

MINUTES
NFRWQPA
August 27, 2009

1. Roll Call

The meeting was called to order by Mr. Doering at the Northern Colorado Water Conservancy District offices. Roll was called and the following members were in attendance.

Fred Walker – Boxelder	Larry Wyeno - Longmont
Jon Mays – Erie	Steve Adams - Loveland
Cameron Parrott – Evans	Don Carlson - NCWCD
Dennis Schump – Greeley	David Brand - Platteville
Katie Wiktor – Greeley	John Holdren - Severance
Tim Holbrook – Hudson	Eric Doering – St. Vrain S.D.
Karen Frarck – Lochbuie	Rob Fleck – St. Vrain S.D.
	Doug Rademacher – Weld County

Also present Connie O’Neill Manager for the Association, Josh Sherman - Tetra Tech, Joe Tomburini - Tetra Tech, Marje O’Brien - Tetra Tech, Tim Holbrook - IFE, Wayne Ramey – Ramey Environmental Compliance Inc, Matt Benak - JSC and Tad Foster.

2. Approval of Agenda

The agenda was approved as presented.

3. Minutes

Minutes of the June 25, 2009 meeting were considered. Mr. Rademacher made a motion to approve the minutes. Mr. Holdren seconded the motion and it was approved.

4. Financial Report

Ms. O’Neill reviewed the financial report for June and July. June had typical monthly expenses in addition to expenses for the Water Quality Forum retreat, WEF membership, and liability insurance. July had typical monthly expenses including paying for the Rocky Mountain Water Environment Association Conference which Ms. O’Neill will be attending in September. Mr. Mays made a motion to approve the financial report. Mr. Holdren seconded the motion and it was approved.

5. Decision Item: Larimer County 1041 Regulation Comment Letter

Ms. O’Neill discussed that Larimer County will be considering amendments to Section 14 of the Larimer County Land Use Code at an upcoming public hearing. A copy of a comment letter was enclosed as Attachment #5 for the members review. The letter is to be submitted to Larimer County for inclusion with the information which will be used in the September 16th Planning Commission hearing. Ms. Wiktor from the City of Greeley explained that a few more things have been added to Attachment #5 regarding special districts obligation to provide service. Mr. Walker discussed the redundancy of this change with the Site Application process and location and extent that provides public comment opportunity. These sewer lines are usually put in an area identified in the land use approval process. Mr. Walker explained that there is a request for a task force to meet and discuss the issues prior to adopting any changes. Mr. Adams stated that the comments have created some changes so far in the proposal and explained that there is a concern that there is no implementation manual. The estimate is nine to twelve months delay. Mr. Mays made a motion to approve the revised letter. Mr. Schump seconded the motion and it was approved.

6. **Decision Item: Utility Plan Review Committee Referrals**

Ms. O'Neill explained that over the last several months the Utility Plan Review Committee has recommended conditional approval on a number of plans. This has caused some confusion and concerns from committee members. Mr. Fleck explained that there should be a review to determine if the plan is in compliance or not. Mr. Walker made a motion to approve the changes to the Utility Plan Review Committee referrals. Mr. Rademacher seconded the motion and it was approved.

7. **Decision Item: Site Application Amendment, Town of Hudson**

Ms. O'Neill discussed that the Town of Hudson has submitted an amendment to their previously approved Site Application. This amendment will incorporate an interim treatment facility to be located on the same site as the wastewater treatment facility being built by the town. She explained that this application and the following application are both options for an interim facility which will be used to allow for operation of the Hudson Correctional Facility, which is scheduled to accept inmates on November 1, 2009, until the permanent waste water treatment facility is on line. She stated that the Town & Cornell Companies have prepared presentations to explain both applications and how they work together. There was a very short review time on both applications and neither are consistent with the approved Utility Plan in place for the Town of Hudson. The North Front Range Water Quality Planning Association "Site Location and Design Approval Review Policy" does however allow for an Amendment Application to be referred to the Association for consideration without an approved Utility Plan. She also reviewed the referral agency comments and indicated that the hand out provided summarizes staff concerns. Mr. Holbrook then discussed the Amendment Application. He explained that the prison is being built and there is now a contract to accept prisoners early. The Town of Hudson wants to allow this to happen and does not see any fatal flaws with the plan. Mr. Holbrook explained that they want to make sure that there is not a disruption to construction of the permanent plant. He provided pictures of the construction site for the permanent facility. He also stated that the town has concerns with the quality of an interim facility.

There was then discussion of the group as to whether to hear the presentation of Cornell Companies regarding the next agenda item prior to action on this agenda item. The group felt that hearing the information from Cornell would be helpful prior to consideration. Ms. O'Brien then presented information on the following agenda item which was the Site Application from Cornell Companies for a vault and haul system. She explained that staff training for the prison will begin on October 1st and inmates will be accepted on November 1st. This leaves a six – eight week gap in service that will need to be filled by a temporary facility. She explained that a variety of alternatives have been reviewed which resulted in the applications for the interim facility and the vault and haul facility as a backup. She explained that should the vault system be used for two months the cost reaches \$1.2 million making it no longer a viable option and one that will not be used if they don't have to. She also indicated that Cornell is working on a contract with a hauling company and that Lochbuie will be the accepting entity of the waste pumped from the vault. Ms. O'Neill added that there were two handouts associated with this agenda item which included staff comments and review agency comments on the application. Mr. Foster then explained why

there were no real inconsistencies with this application and the approved Utility Plan for the Town of Hudson.

Ms. O'Neill then asked how staff would be accommodated starting October 1st given that both interim options were not proposed for start up until November 1st. Ms. O'Brien indicated that they were considering porta-potties or possibly a temporary ISDS. Ms. Frarck then questioned the level of operator that would be needed for an interim plant. Mr. Tamburini indicated that both types of systems being considered for the temporary plant would require a Class B operator. Ms. Frarck then questioned the operation of the plant. Mr. Holbrook stated that the town would be operating the temporary facility. Mr. Tamburini indicated that a temporary facility would meet ammonia standards. Mr. Doering questioned how the Association would be guaranteed that this temporary situation would not go on and on. Mr. Foster indicated that ending the use of the temporary facility when the permanent facility is on line and compliant is a condition of the Weld County Board of Health approval. In addition, it would be an added cost to the prison to continue to use the temporary facility when another facility is available to them. Mr. Doering then questioned if the number of inmates was guaranteed and Ms. O'Brien indicated that yes, a contract was in place.

Ms. Frarck indicated that Lochbuie had been contacted a while back about accepting the waste and questioned whether Cornell planned to vault and haul waste to Lochbuie or utilize the temporary plant. Ms. O'Brien indicated that Cornell would like to vault and haul waste to Lochbuie from October 1st through November 1st however they are not sure that approvals can be obtained by then. Otherwise Cornell would plan to use the vault and haul option if the temporary facility is not online November 1st. Mr. Holdren then questioned the BOD capacity of the plant. Mr. Holbrook clarified that the Town of Hudson had submitted a previous amendment to their original site application requesting a BOD capacity of 1,040 for the permanent facility. Mr. Holdren also questioned if Lochbuie had capacity to receive the waste and Ms. Frarck indicated that they did. Mr. Rademacher questioned whether Cornell could cap the inmate population at 1,000. Mr. Tamburini indicated that the proposed flows for both temporary options account for full build out of the prison. Mr. Rademacher then expressed concern regarding the time of year that these options are proposed for. Mr. Doering asked if Cornell had other options for housing the inmates and Ms. O'Brien indicated they did not. Mr. Holdren expressed additional concerns regarding the timing of both applications. Mr. Sherman indicated that evaluations would have to be made through the process which would determine whether the vault system would need to be installed. Ms. Frarck brought up questions regarding the trucking schedule. Mr. Holdren then asked for the timeframe on construction of the temporary plant. Mr. O'Brien stated that Cornell is still working on a contract for that. Ms. O'Neill brought up a question about the owner and operator of the temporary facility. Mr. Foster indicated that this would be outlined in an agreement with the town and Cornell. Mr. Brand asked about cold weather issues with the temporary facility. Mr. Tamburini indicated that the pipelines would be insulated and they did not anticipate problems with the plant. Mr. Rademacher then made a motion to recommend for approval of the Site Application. Mr. Walker seconded the motion. Ms. O'Neill asked for clarification on conditions. Mr. Doering suggested an end date would be appropriate. Mr. Holbrook added that the town would not want the temporary plant to operate longer than necessary. It was then suggested to add the conditions that the amendment only be applicable until the new permanent

wastewater treatment facility is operational and in compliance. Mr. Rademacher and Mr. Walker agreed with this friendly amendment to the motion. Mr. Holdren stated that Cornell Company knew what the time frames were and chose to take a contract which put the monkey on the back the Association and he did not appreciate that. Mr. Doering then called for a vote. The motion was approved with one no vote and with Ms. Frarck abstaining.

8. **Decision Item: Site Application, New Wastewater Treatment Facility
Cornell Companies**

Ms. O'Neill reviewed the application information as submitted for the vault and haul system. She also stated that comments from Weld County Department of Public Health and Environment and Weld County Board of Health had been received. Mr. Mays stated that he agreed with Mr. Holdren's previous comments. He then made a motion to recommend for approval of the site application with the condition that an agreement is made with Lochbuie. Mr. Adams seconded the motion and offered a friendly amendment to also include the conditions provided by the Weld County Board of Health. Mr. Mays agreed with the friendly amendment. Mr. Rademacher asked if an agreement had been signed with Lochbuie. Ms. Frarck indicated that Lochbuie has been working on one but it has not been signed yet however she did not expect that the Board would reject the agreement. She indicated that it may go to the Board for consideration in September. Mr. Doering then called for a vote and the motion passed with Ms. Frarck abstaining.

9. **Decision Item: City of Greeley, Site Application Amendment**

Mr. Doering then turned the meeting over to Mr. Adams. Ms. O'Neill explained that the City of Greeley has submitted a revision to the Application for the Amendment of an existing site location approval which was submitted and approved by the Association in April, 2009. The revision included a reduction in organic capacity to reflect what the city felt was reasonable. The Amendment Application was reviewed in accordance with the North Front Range Water Quality Planning Association policy and was found to be in agreement with the approved Utility Plan and was therefore given staff approval in July.

10. **Decision Item: Meeting Location for December 10, 2009 Meeting**

Ms. O'Neill explained that the Association has determined that the regular meeting for November and December will be combined and one meeting will be held on December 10, 2009. The Northern Colorado Water Conservancy District meeting room is not available on this date so an alternative meeting location needs to be determined. Mr. Doering has offered to have the meeting at the St. Vrain Sanitation District board room. Mr. Mays made a motion to approve the meeting location for the December 10, 2009 meeting. Mr. Rademacher seconded the motion and it was approved.

11. **Other Business**

a. Water Quality Control Commission / Regulation #22 Update

Ms. O'Neill explained that the Reg. 22 hearing was held in July. The Association and a few member entities have been participating in a Water Quality Forum workgroup to develop the changes to the regulation. The Commission approved the WQCD recommendation with one change regarding PELs. The regulation change will require some minor modifications to our Site Application Policy and possibly the Utility Plan Guidance to allow for consistency. Ms. O'Neill will be reviewing the documents over the next couple of months and working with the Utility Plan Review Committee and the Executive Committee to bring the changes to the membership.

b. Water Quality Forum Update

Ms. O'Neill explained that the Water Quality Forum held their annual retreat in July which she attended. She participated in a panel discussion regarding 208 agency roles and the statewide water quality management plan that the Division will be developing. This statewide plan is the plan that the state is doing with the ARRA funding. Ms. O'Neill hopes that this plan will benefit all the local 208 agencies and serve to address some of the 208 planning requirements that are being addressed on a stateside level. In addition, the Water Quality Forum workgroups were established for the year.

c. South Platte Watershed Plan Update

Ms. O'Neill explained that the planning process for the watershed plan continues to move forward. They have held one public meeting in Ft. Morgan and are planning a couple of additional public meeting to get stakeholder input. The next public meeting will be in Sterling on September 16, 2009. They also have a website up with some information – www.lspwp.com. The membership thought it would be good to invite the coordinator of this plan to a NFRWQPA meeting to provide members an opportunity to give input.

d. Status of East Cherry Creek Valley Discharge Permit

Ms. O'Neill explained that this discharge permit was briefly discussed a couple of months ago. Ms. O'Neill explained that it has been redone to include end of pipe limits as opposed to utilizing assimilative capacity in the ditch. Ms. O'Neill asked if the membership would like a presentation from the District and the membership indicated they would. Ms. O'Neill will arrange for this at an upcoming meeting.

e. Other Items

Mr. Foster announced a request being sent out from the wastewater utility Council requesting funding to work on issues associated with WET testing.

Mr. Adams announced that the Big Thompson Watershed Forum annual meeting will be in September.

12. Adjourn

There being no further business Mr. Rademacher made a motion to adjourn the meeting. Mr. Mays seconded the motion and the meeting was adjourned.