

**MINUTES**  
**NFRWQPA**  
**February 24, 2011**

**1. Roll Call**

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

Randy Siddens – Boxelder S.D.	Chris Matkins - Loveland
Ed Burke – Brighton	Ray Reling - Northglenn
Jon Mays – Erie	David Brand - Platteville
James Duell – Estes Park S.D.	John Holdren - Severance
Earl Smith – Evans	Eric Doering – St. Vrain S.D.
Steve Comstock – Ft. Collins	Rob Fleck – St. Vrain S.D.
Dennis Schump – Greeley	Chris Bieker – Upper Thompson S.D
Larry Wyeno – Longmont	Doug Rademacher – Weld County
Michael McCrary – Loveland	Mark Thomas - Weld County
	Dennis Wagner – Windsor

Also present was Connie O’Neill, Manager for NFRWQPA.

**2. Approval of Agenda**

Mr. Holdren made a motion to approve the agenda as presented. Mr. Rademacher seconded the motion and it was approved.

**3. Minutes**

Minutes from the December 2, 2010 meeting were considered. Mr. Rademacher made a motion to approve the minutes. Mr. Smith seconded the motion and it was approved.

**4. Financial Report**

Financial reports for November, December, and January were presented for review and consideration. Ms. O’Neill reviewed the revenue and expenses for each month. She also stated that dues have been received from all members except five. Mr. Mays made a motion to approve the financial reports. Mr. Smith seconded the motion and it was approved.

**5. Decision Item: 2011 Budget**

The final budget for 2011 was presented for consideration and approval. Ms. O’Neill explained that the 2011 budget was reviewed and approved by the Executive Committee in December. The Executive Committee asked for a few changes to be made as follows:

- Additional of \$1,200 to the budget to accommodate the costs for a Nutrient Standards Workshop that is hosted by EPA and will be in Salt Lake City in February.
- Moving of funds from Salary Contingency to cover the cost of a 2% salary increase (amounts included in salary, retirement, and FICA).
- In addition to these changes Ms. O’Neill stated that she made one other minor modification to the budget that the Executive Committee reviewed. This change was to move the \$100 stipend for vision insurance from the insurance line to the salary line.

In addition the Executive Committee discussed including additional funding for the Colorado Nutrient Coalition (CNC) for continued nutrient work but decided not to make a recommendation but instead leave it up to the membership. The Executive Committee felt that if the members approved additional funding support, the budget could be amended. Ms. O’Neill also stated that she had updated the 2010 projected actuals and included the year end numbers from the December financial report. The final year end actuals will be slightly different when all adjustments are done. Mr. Holdren made a motion to approve the 2011 budget. Mr. Rademacher seconded the motion and it was approved.

**6. Decision Item: Election of Officers**

Ms. O’Neill explained that Mr. Wyeno and Mr. Brand served as the Nomination Committee and prepared a list of candidates for the 2011 Executive Committee. Ms. O’Neill stated that the candidates

listed are the current Executive Committee members and all are willing to serve another year. Mr. Doering opened the floor for nominations. Seeing none he requested a motion to accept the slate of officers. Mr. Duell made the motion. Mr. McCrary seconded the motion and it was approved. It was agreed that the Executive Committee meetings would remain on the same schedule.

7. **Decision Item: Utility Plan Review Committee Confirmation**

Ms. O'Neill stated that the Association has prepared a list of member representatives who have agreed to serve on the Utility Plan Review Committee. All current Committee members have agreed to serve again this year with Mr. Fleck agreeing to serve as Chair of the Committee again. Mr. Holdren made a motion to approve the Utility Plan Review Committee. Mr. Rademacher seconded the motion and it was approved.

8. **Decision Item: New Member, Carestream**

Ms. O'Neill explained that Carestream has taken over the wastewater treatment facility previously owned by Kodak and will be considered as a new member of the Association. Ms. O'Neill also explained that Mr. Pusey retired in February so they do not have a local representative at this time. Calvin Kelsey is the interim representative and he is located in Rochester, New York. Mr. Mays made a motion to approve the membership of Carestream. Mr. Rademahcer seconded the motion and it was approved.

9. **Decision Item: Nutrient Standards and Colorado Nutrient Coalition (CNC) Work**

Ms. O'Neill referred everyone to the attachment and stated that her comments would focus on discussions since the attachment was prepared. She indicated that the Nutrient Workgroup met on February 14<sup>th</sup> and the main topic of discussion at the meeting was the draft regulatory language for both Regulation #31 and #85. Ms. O'Neill stated that the Nutrient Collation submitted initial comments for consideration and will submit final comments by the March 4<sup>th</sup>. She also stated that one of the biggest concerns with Regulation #31 is the application to drinking water reservoirs. This is a shift from an aquatic life focus that the Division started with to a drinking water focus. Ms. O'Neill stated that with Regulation #85 one of the big concerns is the numeric limits however, the Division seemed open to comments on this. Ms. O'Neill stated that there was also discussion of the Request for Proposals for the cost/benefit study. CNC submitted comments on this from the Coalition volunteers.

Ms. O'Neill stated that the EPA Region 8 Nutrient Workshop was February 15<sup>th</sup> – 17<sup>th</sup>. She stated that it was a good workshop and was glad she attended. Each state gave a status report and it was clear that Colorado was ahead of other states in the region for the development process. During part of the workshop participants were divided into groups to develop a list of issues and recommendations for EPA. One overlapping recommendation to EPA was the need to give states flexibility to try something they think will work such as adaptive management approaches. Workgroups also voiced the need to look at approaches that get the most bang for the treatment buck and that wastewater treatment plants are not going to be the whole solution. These recommendations will be submitted to EPA and will be posted on Colorado Water Institute website.

Ms. O'Neill then moved on to a discussion of the CNC. She stated that she thinks CNC has made significant progress that we could not have made without the time and expertise of the consultants. She also asked for feedback from the membership regarding the approach we would like to encourage regarding nonpoint sources (NPS). It was agreed that the Association would encourage voluntary approaches to addressing NPS loading as opposed to a more heavy handed regulatory approach, given the importance of agriculture to the economy of our region. There was also discussion of pulling the monitoring piece out of Regulation #85 holding a separate hearing this fall on this section. Ms. O'Neill was concerned that this would make the hearing process more chaotic and disjointed.

The membership then discussed the option of contributing additional funding to the CNC. Mr. Rademacher asked about the presentation regarding the proposed standards at the Big Thompson Watershed meeting. Ms. O'Neill stated that she did not agree with a couple of things that were stated and didn't feel they were consistent with the current proposals. There was additional discussion of the information shared at the EPA workshop. Mr. Rademacher asked what amount of funding for the CNC that Ms. O'Neill would suggest. Ms. O'Neill suggested a similar amount to 2010. Mr. Rademacher asked if the funding could be done in installments and Ms. O'Neill said yes. Mr. Burke asked how the funding would affect the budget. Ms. O'Neill explained that the previous contributions were from the Association's reserves. Mr. Doering stated that it is important to have a voice at the table but thought it would be appropriate not to provide the contribution all at once. Mr. Mays made a motion to authorize a \$10,000 contribution from reserves now and revisit the issue in four months. Mr. Rademacher seconded the motion and it was approved. Ms. O'Neill will also forward the request for support of the CNC out to the membership and notify them of the amount of funding the Association will provide.

**10. Decision Item: Plan Amendments, Upper Thompson Sanitation District and City of Loveland**

Ms. O'Neill stated that both the Upper Thompson Sanitation District and the City of Loveland have proposed changes to the existing 208 Wastewater Utility Service Areas. As per the Plan Amendment Process both proposals have been posted for public review during a 60 day comment period. Ms. O'Neill stated that the only comment Loveland received was from Johnstown and they have no concerns with the change. The Upper Thompson Sanitation District proposal has received comments from both Larimer County Health Department and Estes Park Sanitation District and neither have concerns. These changes will be considered at a public hearing in March.

**11. Other Business**

**a. Water Quality Control Commission:**

Due to the limited February agenda of the Commission, no specific updates were provided.

**b. Water Quality Forum & Workgroups**

Water Quality Forum

Ms. O'Neill stated that the main topics discussed at the January Water Quality Forum meeting were permits and nutrients. Regarding permits, the Division is looking to move to a basin approach to permitting in the next couple of years. Ms. O'Neill is hoping this will allow for a more efficient process. She provided a handout from the Division that summarized the approach. Ms. O'Neill also stated that the Division has posted a draft pesticide general discharge permit. She provided a handout and indicated that the state has modified their plan and only provided a 30 day comment period on this permit with no public meeting. There is not an application or notice of intent required but there will be a Certification of Compliance requirement.

ISDS Workgroups

Ms. O'Neill stated that they are now looking at re-writing the regulations. Separate groups have drafted a bill to make changes to the statute.

Policy 96-1 Workgroup

Ms. O'Neill stated that there is nothing new from this workgroup. The Division is working on a new draft of the policy which should be out for review in April.

Permits Issues Workgroups

This group meets monthly with the Division attending the meeting every other month. In January the Division did not attend so it was an opportunity to follow up and discuss what the group would like the Division to address in February. The main things discussed at both meetings were watershed based permitting and alternate flow real time permitting. In addition, the state will not be working on discharger specific variance guidance until after March 2012.

Regulation #84 Workgroup

Ms. O’Neill stated that this is a new group for her. This group is looking at changes to the regulation and is divided into four subgroups. The plan is for the group to put together an outline of the proposed changes by April. After this is done they will start on the specifics of the regulation changes. No rule making hearing has been scheduled at this time.

303 (d) listing Methodology Workgroup

Ms. O’Neill stated that this is also a new group for her. This group is about to wrap up as the Administrative Action Hearing is scheduled for March 8<sup>th</sup>. There was one meeting that Ms. O’Neill attended in February and it seemed as though most controversial issues were resolved.

**c. Other**

State Wide Water Quality Management and Plan

Ms. O’Neill stated that the plan should be final and ready for an Administrative Action Hearing in April.

Ms. O’Neill will then use this as a reference for our 2011 Update to the 208 Plan.

208 Plan Update

Ms. O’Neill stated the she will be starting the 2011 Update of the 208 Plan.

DRCOG Update

Ms. O’Neill stated that DRCOG has been de-designated as a 208 Planning Agency. As a result, NFRWQPA will get an additional \$3,300 in 604(b) funding this year.

Other Reports

Mr. Siddens reported that the federal budget for SRF dollars has been cut from \$2.3 to \$1.5 billion.

**12. Adjourn**

There being no further business the meeting was adjourned.