

MINUTES
NFRWQPA
October 28, 2010

1. Roll Call

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

Randy Siddens – Boxelder S.D.

Karen Frarck – Lochbuie

Fred Walker – Boxelder S.D.

Michael McCrary – Loveland

Ed Burke – Brighton

John Holdren – Severance

Jon Mays – Erie

Rob Fleck – St. Vrain S.D.

James Duell – Estes Park S.D.

Chris Bieker – Upper Thompson S.D.

Earl Smith – Evans

Mark Thomas – Weld County

Dennis Schump – Greeley

Also present: Warren Mesloh, TEC; Carolyn Sullivan, JVA; Don McIntyre, Wind River Ranch; Boyd Hanson, Brown and Caldwell; Michael Dower, Riverglen HOA; Ed Schemm, Larimer County; and Connie O'Neill; Manager for the Association.

2. Approval of Agenda

The agenda was approved as presented.

3. Minutes

Minutes from the September 23, 2010 meeting were considered. Mr. Holdren made a motion to approve the minutes. Mr. Smith seconded the motion and it was approved.

4. Financial Report

Ms. O'Neill explained that there were typical monthly expenses for September along with expenses associated with the Rocky Mountain Water Environment Conference and some expenses associated with WEFTEC Conference. The financial reports also include the \$1,000 contribution to the Wastewater Utility Council for support of the expert witness for the aquatic life hearing last month. Mr. McCrary made a motion to approve the August financial report. Mr. Holdren seconded the motion and it was approved.

5. Decision Item: Boxelder Sanitation District, Site Application for Increased Capacity

Ms. O'Neill stated that the Boxelder Sanitation District has submitted a Site Application to modify the treatment process at their facility and increase the capacity. Mr. Mesloh, Mr. Siddens, and Mr. Walker were present to answer any questions. Ms. O'Neill stated that the reviewing agencies were Larimer County Health and Planning. Mr. Mesloh stated that the application is the result of the reports and studies that District has done over the last two years. This Application follows the Utility Plan for new 3.0 MGD facility. Ms. O'Neill stated that she had no concerns with the application. Mr. McCrary made a motion to recommend approval of the Site Application. Mr. Fleck seconded the motion and it was approved.

6. Decision Item: Riverglen HOA, Site Application Amendment

Ms. O'Neill explained that the River Glen HOA has submitted an application to amend the existing site location approval for the addition of a tablet feeder for dechlorination treatment. The proposal will address more stringent bacteria limits in their permit which will require an increase in chlorination. Ms. O'Neill stated that the application is limited in scope and that the HOA plans to do the work themselves and anticipates it will take just a few days for installation once they have received the equipment. They anticipate the cost to be between \$800 - \$2,000. Ms. O'Neill stated that Larimer County Health and Planning were the reviewing agency and neither have concerns with the application. Ms. O'Neill also stated that this facility is located within the 208 WUSA for Berthoud. She has contacted the Town of Berthoud and they have indicated they have no concerns with this application. Mr. Siddens made a motion to recommend approval the Site Application Amendment. Mr. Smith seconded the motion and it was approved.

7. Decision Item: Wind River Ranch, Site Application Amendment

Ms. O'Neill introduced Ms. Sullivan with JVA and Mr. McIntyre with the Ranch. Ms. O'Neill explained that Wind River Ranch has submitted a Site Application Amendment which proposed to decommission the existing SBR treatment facility for the ranch and replacement it with three septic tank and leach field systems. Ms. O'Neill explained that she has reviewed the application and had a number of concerns. A handout was present from JVA regarding Ms. O'Neill concerns. Ms. O'Neill stated that her main concern is the overall concept of going from the existing SBR back to a septic/leach field systems which seems to be a step backwards. Ms. O'Neill stated that she realizes that the system as is will not meet effluent however it did not appear that all options had been evaluated.

Ms Sullivan explained that the history of wastewater systems and ownership of the ranch. The ranch moved to mechanical plant in 2005-6. They failed to meet discharge limits that season and initiated corrective action. In 2007 it also failed to meet discharge limits which are very stringent. In the 2010 operating season the Ranch obtained a reuse permit but was unable to apply at times. Ms. Sullivan explained that the system was not designed with denitrification capabilities to meet groundwater limits for nitrogen. She explained that JVA feels they should have never moved to mechanical plant. There are issues with start up and the facility routinely does not meet discharge limits and are currently facing fines. Mr. McIntyre explained that the ranch is very focused on this and has done everything the state has asked. Ms. Sullivan stated that a lot of effort was put into making the plant work and evaluation prior to approaching state and county with the current plan.

Mr. Bieker asked why the original system design did not meet limits. Ms. Sullivan indicated that she did not know what the PELs were but there are ADBAC's in their permits so design doesn't meet these limits. She explained that even if the limits were less strict they would have trouble at start up. Mr. Bieker asked about consolidation with Aspen Lodge. Ms. Sullivan explained that it has not been considered but could not be by gravity. Mr. Schemm stated the when the Application was in front of the group in 2005 there was concern with the ability to meet limits. He explained that his initial reaction was the same that it didn't seem like the right thing to do however they can not continue to have the ongoing fines. He has visited the site and has concluded that this may be the best thing to do.

Mr. McIntyre stated that they have committed not to expand beyond a total of 6,000 gpd for the three systems. Mr. Mays stated that suggestions have been made to table the application for further consideration. Ms. O'Neill stated that there had also been a suggestion to send the application to the Utility Plan Committee for review. Mr. Duell questioned the precedence this would set. Mr. Fleck ask if denitrification was added would they plant still have trouble at start up and Ms. Sullivan indicated it would. Mr. Mays asked how much water quality degradation they expected. Ms. Sullivan stated that give soil conditions they expect to be in better shape. Ms. Frarck questioned whether advanced treatment would be included with the septic systems. Mr. Schemm stated that there are some new types of septic systems but he was not sure it would help them but it may be something they may look at from the county level. Mr. Bieker made a motion to recommend approval of the Site Application Amendment. Ms. Frarck seconded the motion and it was approved.

8. Decision Item: December 2, 2010 Meeting Location

Ms. O'Neill explained that the Northern Colorado Water Conservancy District meeting room is not available for the December 2, 2010 meeting and therefore an alternative meeting location needs to be determined. St. Vrain Sanitation District has offered to hold the meeting at their facility. The Executive Committee meeting is also that day and can meet their as well. Mr. Smith made a motion to hold the NFRWQPA and Executive Committee meetings at St. Vrain

Sanitation District on December 2, 2010. Mr. Holdren seconded the motion and it was approved.

9. Decision Item: Nutrient Standards

Ms. O'Neill distributed a handout that contained the latest information on the nutrient standards development. (Note: This handout was emailed to NFRWQPA members following the meeting.) Ms. O'Neill reviewed the key items from the handout. She stated that the last workgroup meeting was held on October 13, 2010 and an update version of the proposed criteria was presented from the Water Quality Control Division (WQCD). There was also a proposal from the WQCD for high quality water supply reservoir that seemed to have general support. Ms. O'Neill stated that in addition to the WQCD proposal, Metro Wastewater Reclamation District (Metro) also presented information on their control regulation approach. This proposal would implement a state-wide total phosphorus reduction strategy using a control regulation. It would require most POTWs to install biological nutrient removal and participate in statewide monitoring. Following the initial monitoring and reduction phase, a statewide evaluation of the reductions achieved would be done. Additional reductions from POTWs would not be required in streams where non-point sources are identified as significant sources until opportunities for reductions from the non-point sources are evaluated. Ms. O'Neill explained the this control regulation would be proposed to work with supplement Regulation #31, Basic Standards proposal from the WQCD and would be proposed for consideration at the same time.

Ms. O'Neill explained that the Colorado Nutrient Coalition also provided a short presentation at the meeting. They pointed out that they still had a number of significant concerns with the WQCD proposal and felt that a number of tasks including an independent peer review were still needed. The Coalition did voice general support for the high quality water supply reservoir proposal and the control regulation approach.

Ms. O'Neill stated that a small workgroup which has been formed to work on the Metro Control Regulation proposal met to further discuss the concept on October 20, 2010. Following that meeting a summary table was prepared and distributed. This table included items this group has tentative agreement on as well as issues that the group has not resolved for both the Regulation #31 proposal and the Metro Control Regulation proposal.

Ms. O'Neill then summarized the proposed follow up by the Coalition give the current status of proposals. She also summarized the financial status of the coalition which included outstanding bills of approximately \$50,000 for the work done to date by Tad Foster and John Hall. The Coalition has determined that expenses should not exceed \$75,000 by the end of October 2010.

Ms. O'Neill explained that the Coalition decided on the following three strategies for the remainder of 2010:

1. Prepare a response letter to the WQCD including concerns on their continued approach to the development of the Regulation #31 table values. This will include a request for an independent peer review.
2. Prepare a response letter to EPA questioning the need for overarching total nitrogen limits given the flexibility provided to other states.
3. Development of comments of the Regulation #31 proposal and the Control Regulation proposal.

Ms. O'Neill stated that with these strategies she would recommends that the Association move forward with the \$2,500 additional contribution to the Coalition which was approved at the September membership meeting. In addition, she would recommend that the Executive Committee determine whether the 2011 budget should include funds designated for additional Coalition or nutrient related activities.

Mr. Thomas questioned the amount of focus on non-point sources in the control regulation approach. Ms. O'Neill indicated that there were representatives from the agriculture industry on

the small workgroup. Ms. Frarck indicated that she felt the control regulation was effective way to accomplish reductions. Mr. Duell questioned whether \$2,500 was sufficient funding. Mr. Bieker also questioned whether additional funding would have an impact on the 2011 dues. Ms. O'Neill that the contributions to date have come from the NFRWQPA reserves and she felt that would also be the case in 2011 should additional contributions be approved. She indicated that the Executive Committee had not discussed an increase in the dues calculation for 2011. Mr. McCrary then made a motion to authorize Ms. O'Neill to submit the additional \$2,500 contribution to the Colorado Nutrient Coalition. Mr. Smith seconded the motion and it was approved.

10. Decision Item: Rocky Mountain Vista Mobile Home Park

Ms. O'Neill summarized the status of the Rocky Mountain Vista Mobile Home Park. She reminded the group that a site application for an SBR facility had received a recommendation for approval after annexation agreements with the City of Brighton had failed which would have allowed for wastewater service from the city. Ms. O'Neill indicated that Rocky Mountain Vista had approached NFRWQPA about sending a letter to the city asking them to reconsider providing sewer service however, as of today, they have decided to move forward with their application for the SBR and therefore the letter to Brighton will not be needed.

The group then discussed the consolidation concept further. Mr. Bieker questioned what the Association's position would be if another similar request were received? Mr. Duell suggested any letter should stick to the mission and goal of the Association. Mr. Bieker added that an opinion should be based on water quality benefits and not become involved in land use issues.

11. Other Business

a. Fee Bill Workgroup Update

Ms. O'Neill explained that a workgroup meeting was held on September 23, 2010 however she was not able to attend. At the meeting the WQCD passed out a list of resource needs to be included in a potential fee bill including a total of 28.3 FTE for the clean water programs and 3.5 FTE for drinking water. Ms. O'Neill stated that at this time nothing is moving forward and no follow up meetings are scheduled.

b. Water Quality Control Commission

Ms. O'Neill explained that the main item on the October agenda of interest to members was the Aquatic Life Assessment Methodology Administrative Action Hearing. This is the hearing that the Wastewater Utility Council had supported Tim Moore's participation in as an expert witness. Ms. O'Neill reminded the group that NFRWQPA contributed \$1,000 towards this effort. Mr. Moore testified that all of his issues had been addressed by the Division and the WQCC approved the WQCC approved the WQCD proposal with minor corrections.

c. Water Quality Forum and Workgroups

Ms. O'Neill explained that there was neither a WQF meeting this month nor additional workgroup meetings that she attended.

d. Other

Ms. O'Neill stated that she attended the WEFTEC conference earlier this month. She stated that there were several good presentations. Some of the technical sessions attended were: National Environmental Priorities, Ultra Low Phosphorus Removal, Clean Water Policies, Nutrients and Striking a Balance. She also attended the South Platte Forum last week. She stated that the most interesting part of the forum was the nutrients discussion which included several different perspectives.

12. Adjourn

There being no further business the meeting was adjourned at 4:35 p.m.