

June 7, 2007

Dave Akers
Water Quality Control Division
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

Re: Policy for Implementing the Narrative Standard for the Protection of Agricultural Uses

Dear Mr. Akers:

The Colorado Wastewater Utility Council (Council) would like to take this opportunity to share its concerns with you over the "Policy for Implementing the Narrative Standard for the Protection of Agricultural Uses". Because of the workgroup process, the Council appreciates that development of policy is not just a Division responsibility, but depends upon input from all stakeholders. As such, the wastewater community has a vested interest that any proposed policy should be scientifically defensible while taking into account Colorado's unique water management system.

The original purpose of the Agricultural Diversion workgroup was to address the agricultural impacts of discharges from coal bed methane development activities in southern Colorado. It would seem appropriate for this policy to address only bedrock groundwater introduced to surface waters. As written, the policy appears to be expanding to other discharges that are not a part of the intended scope, including POTWs. It is the opinion of the Council that the workgroup has included all permitted dischargers in the policy, rather than being specifically applied to coal bed methane activities.

The Council would also like to address some specific concerns.

The decision to graph a line defining 90% crop yield to identify the acceptable SAR/EC ratio would be a reasonable assumption on which to base the 85 percentile. Like water quality standards, the 85 percentile is the basis of standards in Colorado. It would be helpful to include the formula to calculate the SAR and possibly the reference to the Colorado State University Water Quality Calculator for use by individuals not familiar with this calculation.

The Council agrees with the Division's decision that permit limits will be site specific. However, it would be helpful to clarify what the permit limits would be based upon, i.e. SAR, EC, point of compliance, etc. The potential impact on POTWs is unknown at this time because there has not been any time to evaluate POTW effluent in comparison with the proposed standards. SAR and EC have not been properties considered in wastewater treatment. Therefore, if this policy is to be applied to POTWs, there will be a need for a compliance period to collect data and determine what effect, if any, wastewater effluent has on agricultural uses. The Council suggests that the Division include a provision for those permitted dischargers that pose no adverse agricultural and environmental impacts.

We look forward to working with you and your staff on this important issue.

Yours truly,

Nancy Keller
Chair