



**Draft Meeting Minutes**  
**Wednesday, July 12th, 2023**

Attendees: See the table at the end of the minutes.

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Julie got the meeting going and Amy recorded it [here](#). Julie welcomed everyone and went over the agenda.

Nathan Moore, CDPHE staff – Nathan reported that they had worked through the dredge and fill permit policy since permitting by the Army Corps is no longer happening. The state wanted to maintain activity like it was prior to the Sackett ruling by the US Supreme Court. It's an interim solution and there will be continuing discussion. He doesn't know when the Army Corps will figure out how to issue permits. Gabe said that ACE is continuing to issue notifications.

There's a new engineering section manager, Tyson Ingels. He didn't know when his start date is but it should be soon. He'll be handling drinking water issues.

The fee stakeholder process is starting and their first meeting tomorrow. He shared a link in the chat on that effort: <https://cdphe.colorado.gov/water-quality/water-quality-engagement/water-quality-fee-setting-rule> There will be a rule-making in 2024 and another in 2025. The water Quality Forum meeting is tomorrow.

Gabe asked about the rationale for breaking up the fee rule making into 2 hearings. Nathan responded that the issue is a big one and they thought it would be better to break it up into two steps. It felt overwhelming to the Water Quality Control Division (WQCD) staff and Water Quality Control Commission (WQCC).

Becky Luna and Tanja Rauch-Williams, Carollo Engineering –The slides from the presentation can be found [here](#). Becky provided background information about the City of Santa Fe's Paseo Real wastewater treatment plant, including EPA's Life Cycle Assessment. The plant is about 13 mgd with secondary treatment and an outfall to the Santa Fe River. Their Total Phosphorus (TP) permit limit is 0.09 mg/l and Total Nitrogen (TN) of 0.48 mg/l. The Santa Fe River has zero flow so there is no dilution credit. Santa Fe hired Carollo to evaluate different treatment options and project costs for 4 nutrient tiers. Reverse Osmosis (RO) was the most effective and the most expensive. EPA approached Santa Fe to try to quantify holistic environmental aspects and potential

impacts associated with meeting nutrient limit tiers. They used the Carollo evaluation to conduct the study.

EPA used ERG Consulting to conduct the evaluation. Tanja explained that the study looked at a wide variety of endpoints; air quality, eutrophication, acidification, smog, energy demand, global warming, cancer toxicity, non-cancer toxicity, water depletion, water scarcity, etc. Santa Fe's situation is similar to the Denver Metro area. Tertiary filters and RO showed the lowest levels of eutrophication. Looking at Water Scarcity, RO had the most water loss due to the generation of brine during the RO process. Brine injection would not be possible in CO. Ecotoxicity results showed RO had the worst results due to the energy required. The report is posted on EPA's [website](#). **Becky** will share the slides with Julie and Amy. RO had the worst environmental score except for the eutrophication category.

The Life Cycle Assessment study was completed in 2022 and published in 2023. There is a work group with EPA and Santa Fe to work through the results of the study in regard to future permitting. Carollo is working with Santa Fe on a Master Plan for infrastructure. EPA is interested in expanding on this work and working with state agencies to develop defensible environmental regulations that consider a holistic impact on the environment.

Gabe said that the study came up at the lakes nutrient hearing. Given the findings from the Life Cycle Assessment study, it is not clear whether NM going to adopt the proposed nutrient values. RO is not required by regulators in NM at this point. Site specific values will likely be needed and regulators in NM are beginning to work on them. EPA will be attending the WQ Forum Retreat. The city is looking into the impacts of discharging to the Rio Grande River instead which may have some assimilative capacity. The impacts of the lack of water were not considered as part of the life cycle assessment.

Use of the Life Cycle Assessment approach to setting water quality standards would require the WQCC and WQCD to work with the Air Quality folks and others before nutrient standards are adopted. The WQCD and WQCC are aware of the study because it came up during the nutrient hearing. The WQCD agreed that RO has environmental impacts. Utilities can't plan to include RO treatment until they know if it will be allowed. In the April Nutrient Rule-making hearing EPA's position was that state's must develop nutrient standards.

Caroline added that nutrient standards were narrative in NM as recently as 2018. The WQCD is aware of the study because EPA was asked to present preliminary findings at a WQ Roadmap meeting. NM and CO are the states where nutrient standards are being set so low that RO would have to be considered. There may be interest in forming a utility coalition. EPA doesn't have a timeline, but utilities do because they have to plan far in advance to alter or add treatments. It took about 3 years before the study was

finalized which is not enough time for CO. The tertiary treatment looked like it would cause the least environmental impacts while achieving excellent reduction in both TN and TP. Tertiary treatment did not meet proposed concentrations. The TN concentrations are still too high with RO. None of the tiers met the streams standards. National Waste and Recycling Association (NWRA) has been encouraged to put together a blue-ribbon panel to consider all the environmental impacts. The blue-ribbon panel would be tasked with doing a study similar to the one done for Santa Fe.

Julie thanked them for the presentation.

### **Discussion Items**

**Regulatory Updates** – Gabe reported on the fall out on dredge and fill permits since the Sackett ruling. The state's position is that they are recognizing the previous definition of 'waters of the US' (WOTUS) and a permit is required for anyone to dredge or fill. Their interpretation of WOTUS is broader than that in the Sackett ruling. The Army Corp of Engineer's position is they will send a notification indicating that nationwide permits are still available. Utilities can continue to maintain their infrastructure. The state's permit is significantly different than the national permit policy. The state's is far more restrictive. The state will probably introduce legislation in the next session that will close the loops in the dredge and fill permitting process.

Regarding the fees process, the WQCD staff are not following what the legislation said. He's not understanding why the rulemaking is being done in 2 steps. The WQCD needs to have adequate funding for important tasks, and he's concerned that if the important tasks aren't defined in the first rule-making, it won't be happening in the second rule-making.

Gabe encouraged someone from the CWWUC to apply for the WQCC, especially in light of the WQCC now being in charge of setting fees. It's important that the raised fees will be spent wisely.

**Regulation 22** – There has been discussion about construction flexibility. The issue is held up at this point. It's ready for discussion with the permits section but they aren't ready to discuss it yet. Historical infrastructure is also being discussed. It applies to any entity that doesn't have site location approvals for infrastructure. They want to set up a process for approval of the historical entities. **Colorado Springs** will share their comments on the issue.

**Budget** – Amy, Julie and John met to discuss a proposed budget for 2024 and projected out until 2027. Based on the 2023 Nutrient hearing experience, we predict CWWUC will need \$100,000 for the 2027 hearing. The membership concurred that the amount seemed a reasonable target. There will be some other issues such as PFAS that may come up.

To raise those funds, the membership discussed different options. One option is to raise membership dues as shown in the table in the agenda. Another option would be to raise dues by a percentage, such as 5% per year every year. The Board concluded that they would review some different options and bring the options back to the membership in August. There was concurrence that the current dues level was too low and should be raised. It will take some more discussion to determine the precise amount and way the dues are increased. The budget for spending the money will need to be worked through in future meetings. Next month the membership will vote on dues increases. A draft budget will also be presented at the next meeting.

**Chemical Form Evaluation Subcommittee** – John reported that there were discussions about how to proceed forward. There hasn't been a lot of response from the WQCD. They're hoping to engage with staff at the WQ Forum and encourage a webinar they recommended. The subcommittee will try to provide a list of topics for them to cover during a webinar. They discussed presenting materials of what they would like to see. Preparing draft materials will take some more time.

**RMWEA and SDA conference interfering with September meeting**– Amy reported that both conferences are during the week of the September 13<sup>th</sup> meeting. The membership decided to cancel the meeting.

**Board Officer Elections in October** – A board nominating committee will need to form in August.

**Water Quality Forum Updates – Meghan Wilson** – Meghan was not present. The group talked about WQ Forum retreat tomorrow. Gabe explained that there are only 4 years to develop stream standards. Based on the lakes nutrients experience, it is unlikely to go well. The Technical Advisory Committee (TAC) process is critically flawed. When the draft criteria are delayed, the hearing should be delayed. If there are future TAC's the CWWUS should be prepared to send a representative.

**Drinking Water Council Updates – Cynthia Lane** – Cynthia had nothing to report.

**Board Action Items** –

Approval of invoices for payment – Roy moved, Wes seconded approval for payment of all invoices. The vote was unanimous.

Checks for Approval in July		
2363 - AMS	\$ 132.80	insurance
2364 - Amy Conklin	\$ 2,056.25	Coordinator
2365 - Applewood Bookkeeping	\$ 75.00	Bookkeeping
2366 - Vranesh and Raisch	\$ 782.00	legal services, Inv. 44807

Approval of June 14<sup>th</sup>, 2023 minutes. Wes moved; Roy seconded a motion to approve the minutes. The motion passed unanimously.

Next Meeting – Wednesday, August 9<sup>th</sup> at 1:00 pm

Attendance

Amy Conklin, Coordinator  
 Nathan Moore  
 Andrew Sayers-Fay  
 Becky Luna

Tanja Rauch-Williams  
 FAR100223  
 Gabe Racz

Member	Last	First	email	
Colorado Springs	Berleman	Annie		x
City of Longmont	Noble	Anne	Annie.Noble@longmontcolorado.gov	x
City of Grand Junction	Firl	Ashley	<a href="mailto:ashleyfi@gjcity.org">ashleyfi@gjcity.org</a>	x
Roxborough	Biggs	Barb	<a href="mailto:barbara@roxwater.org">barbara@roxwater.org</a>	x
Pinyon Environmental	Byus	Carolyn	<a href="mailto:byus@pinyon-env.com">byus@pinyon-env.com</a>	x
Platte Canyon	Lane	Cynthia	calane@plattecanyon.org	x
SPR	DeLaughter	Dan	ddelaughter@englewoodco.gov	x
City of Lafayette	Jackson	David	<a href="mailto:david.jackson@lafayetteco.gov">david.jackson@lafayetteco.gov</a>	x
City of Broomfield	Cowell	Dawn	dcowell@broomfield.org	x
Black Hawk	Trejo	Diana	<a href="mailto:diana.trejo@lrewater.com">diana.trejo@lrewater.com</a>	x
City of Montrose	Webb	Hyran		x
Black Hawk	DiToro	Jessica	jessica.ditoro@lrewater.com	x
Monument	Kendrick	Jim	jfkendrick@q.com	x
Metro Water Recover	Dorsch	Jim	jdorsch@mwr.dst.co.us	x
City of Longmont	Gage	John	John.Gage@LongmontColorado.gov	x
Cherokee Centennial	Watkins Tinetti	Joshua Julie	<a href="mailto:jwatkins@cherokeemetro.org">jwatkins@cherokeemetro.org</a>	X x
Metro	Koplitz Deminski	Katie Mari		x x
Pueblo	Vanderloop	Maria	<a href="mailto:MVanderloop@pueblo.us">MVanderloop@pueblo.us</a>	x
Monument Sanitation	Parker	Mark	<a href="mailto:parker@msan.co">parker@msan.co</a>	x

NFRWQPA	Thomas	Mark	mthomas@nfrwqpa.org	x
City of Aurora Boulder	Paternini Kelley Wilson	Mary Meghan Meghan	<a href="mailto:Mkelley@auroragov.org">Mkelley@auroragov.org</a> <a href="mailto:wilsonm@bouldercolorado.gov">wilsonm@bouldercolorado.gov</a>	x
City of Boulder	Mimna	Melissa		x
Widefield	Morgan	Mike		x
City of Aurora	Harmon	Nick	<a href="mailto:nharmon@auroragov.org">nharmon@auroragov.org</a>	x
C. Springs Utility	Zeitlow	Patti	<a href="mailto:pzeitlow@csu.org">pzeitlow@csu.org</a>	x
		Peter		x
St. Vrain	Fleck	Rob	Rob@stsan.com	x
Security Centennial	Heald Calkins	Roy Samuel	r.heald@securitywsd.com <a href="mailto:SCalkins@cwsdhrmd.org">SCalkins@cwsdhrmd.org</a>	x x
Northglenn Town of Eagle	Stanley Wilson	Shelley Stepha n	<a href="mailto:sstanley@northglenn.org">sstanley@northglenn.org</a> <a href="mailto:stephan.wilson@townofeagle.org">stephan.wilson@townofeagle.org</a>	x x
City of Westminster	Wilson	Tara		x
Fremont	Ormandy	Toby	tormandy@fsd.co	x
City of Greeley Plum Creek	Eldrige Martin	Tyler Wes	<a href="mailto:Tyler.eldridge@greeleygov.com">Tyler.eldridge@greeleygov.com</a> <a href="mailto:wesmartin@pcwra.org">wesmartin@pcwra.org</a>	x x