

## Donala Water and Sanitation District, July 18

# Required permit with Pueblo County almost complete

By Jennifer Kaylor

Donala Water and Sanitation District General Manager Kip Petersen presented to the full Board of Directors a resolution formalizing Donala's Pueblo County 1041 permit at the July 18 meeting. He provided updates on Donala's request to the Colorado Department of Health and Environment's Water Quality Control Division (WQCD) to temporarily suspend arsenic discharge limits and on the district's potential consolidation with Colorado Springs Utilities (CSU) and northern El Paso County wastewater treatment providers to direct their respective wastewater flows to the J.D. Phillips Water Resource Recovery Facility.

Donala's water attorney Rick Fendel was present.

## Permit within reach and expensive

A public hearing on Donala's 1041 permit request to Pueblo County was rescheduled, extending opportunity for public objections to July 11 and postponing consideration of permit Donala Board Resolution 2019-2 until this meeting.

This Donala 1041 permit is a necessary step for the district to use the CSU Southern Delivery System (SDS) to transport Donala's renewable surface water from its Willow Creek Ranch through Pueblo County to Donala customers.

Petersen reported that Donala's water attorney Rick Fendel and Donala water engineer Katie Fendel had reviewed the resolution and declared that it meets the established criteria set forth in Pueblo County's land use rules, regulations, and conditions imposed for county 1041 permit approval. The resolution states that Donala's directors agree to the county's 1041 permit terms and conditions and acknowledge and accept them.

Permit conditions for Donala's mitigation payments for Fountain Creek impacts include:

1. An initial payment of \$50,000 to Pueblo County within 30 days of the 1041 permit's effective date.
2. A subsequent payment of \$200,000 to Pueblo County by Jan. 31, 2020.
3. An initial payment of \$10,000 to the Fountain Creek Watershed Flood Control and Greenway District within 90 days of the 1041 permit's effective date.
4. An annual payment to the Fountain Creek Watershed District of \$10,000 by Jan. 15 of the next year. These annual Jan. 15 payments

will increase by 3% each year over the previous year's payment.

5. An at-minimum proportional 0.3% share to any regional water quality monitoring in the Fountain Creek watershed conducted by the Fountain Creek Watershed District or one or more of the CSU SDS participants.
6. An at-minimum proportional contribution of 0.3% to the cost of any studies of a flood control dam or dams on Fountain Creek conducted or financed by the Fountain Creek Watershed District.
7. Fendel said the final Pueblo County 1041 permit would be provided to the Donala directors by July 30, 2019.

The directors unanimously approved Donala Board Resolution 2019-2.

President Ken Judd, the Fendels, Petersen, and Superintendent of Water Operations Mark Parker were scheduled to meet with the full Pueblo Board of County Commissioners on July 30 to address any lingering questions. Petersen speculated that the long-awaited approval would be granted at this meeting.

## Arsenic regulation suspension request denied

At the June 20 Donala board meeting, Petersen reported that he had submitted a request with the WQCD to suspend the Upper Monument Creek Regional Wastewater Treatment Facility's (UMCRWWTF) arsenic discharge limits for five years. See [www.ocn.me/v19n7.htm#dwsd](http://www.ocn.me/v19n7.htm#dwsd). This action was intended to give the facility's partners—Donala, Triview Metropolitan District, and Forest Lakes Metropolitan District—time to seek two possible solutions: regional consolidation of wastewater treatment with Colorado Springs Utilities (CSU) or construction of a \$1 million Water Treatment Plant Residuals Dewatering Facility (RDF). Both solutions require significant time to establish and the CSU collaboration has a "to be determined" cost.

If the northern El Paso County wastewater treatment facilities, UMCRWWTF and the Tri-Lakes Wastewater Treatment Facility (TLWWTF), collaborate with CSU, wastewater from the two facilities would be directed to the much larger and compliance-adept J.D. Phillips Water Resource Recovery Facility, and the burden of arsenic compliance would rest on CSU. The RDF solution would provide a means to extract arsenic and other contaminants as solid wastes to divert most of them

from the wastewater treatment facility altogether. Petersen expressed appreciation for WQCD's quick response but reported that the request had been denied due to mismatched timelines.

As a result, Petersen communicated with engineers at GMS Inc. to restart the million-dollar RDF project. He anticipated a construction kick-off in January 2020.

## NMCI plan disappointments and delays

Referring to a July 9 memo received from CSU regarding the North Monument Creek Interceptor Project (NMCI), Petersen summarized that "CSU will not provide potable water in exchange for our return flows from the waste plant" meaning that direct potable reuse of the wastewater treated at J.D. Phillips is not an option. Indirect potable reuse is also fraught with many concerns, reported Petersen. If the northern entities consolidate and the discharge point is established much farther south, Donala would have to construct a new water pipeline to deliver its water back to district customers. The expense would be prohibitive and essentially strike indirect potable reuse as an option. The memo included a CSU proposal that the northern entities could account for their respective flows discharged at J.D. Phillips.

The NMCI also faces significant delays if it is to be constructed. The National Environmental Policy Act (NEPA) stipulates that a yet-to-be-named lead agency must produce an Environmental Impact Statement and Record of Decision; this process may consume 18 to 24 months and postpone a construction start date to spring 2022.

Petersen confirmed that several of the northern entities met recently to discuss possible options for recovering return flows.

## Manager addresses finances and other topics

- Petersen commented that the wastewater operations and management capital projects expenses were higher than budgeted for 2019 due to manufacturing delays

experienced in 2018. The costs were subsequently incurred in 2019. He expected to conduct a supplemental budget adjustment at the end of 2019 to account for the additional expenses.

- After reviewing and noting minor corrections, directors unanimously approved the formalized succession plan as drafted by Vice President Ed Houle. The plan outlines that the new district general manager, after completing a rigorous assessment, will likely start May 1, 2020. Petersen's retirement officially falls on May 31, 2020, allowing for a month-long transition overlap.
- From July 21 to 26 a Donala crew spent time at Willow Creek Ranch repairing telemetry and perimeter fences, calibrating flumes, conducting fire mitigation, and maintaining the access road. Petersen reported that a visit to the ranch in early July showed good vegetation and grass cover and strong water flows compared to previous years.
- Due to concerns of a possible spill at Pueblo Reservoir in early July, Donala moved a substantial amount of water out of storage to avoid a loss. Petersen reported that the district is currently taking credit for as much water as its decree allows as part of its water management strategy.

The regular meeting moved into executive session at about 2:20 p.m. Petersen later confirmed that no decisions were made nor actions taken following the executive session.

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The next board meeting will be held at 1:30 p.m. Aug. 15 at the district office located at 15850 Holbein Drive, Colorado Springs. The directors meet in the district office conference room. Board meetings are normally held on the third Thursday of the month. More information is available by calling (719)488-3603 or accessing [www.donalawater.org](http://www.donalawater.org).

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## Monument Board of Trustees, July 1

# Three commercial development sites approved; emergency well repairs OK'd

By Allison Robenstein

At the July 1 Monument Board of Trustees meeting, three new land use ordinances were approved, members were appointed to the Planning Commission and to the Board of Adjustments, and emergency repairs to a Monument well were approved using contingency funds.

## Two commercial developments approved

The board unanimously approved the final plat for Flying Horse MOB Filing No. 1, the parcel that previously held Little Sprouts Learning Center, at 77 Third St. Flying Horse Medical Center & Aesthetics will move to the lot. See [www.ocn.me/v19n7.htm#mpc](http://www.ocn.me/v19n7.htm#mpc).

Next, Senior Planner Jennifer Jones presented a zone change, as well as the preliminary and final PD site plans and final plat, for an 11.8-acre parcel called Monument Marketplace North on the west side of Jackson Creek Parkway

across from Harness Road. Jones and the developer asked for the site to be "down-zoned" to Planned Development (PD) to include fewer "uses by right" to mirror those of the Regency Park Planned Commercial Development District.

The Final PD site plan for 3.8 acres of Monument Marketplace North will allow Ferrari Films to build an almost 16,000-square-foot building and move from its current location across the street.

As was discussed at the June 12 Monument Planning Commission meeting, Trustee Greg Coopman said the town had gotten into trouble with its lack of specific zoning definitions in the past and was in favor of changing the wording of "film studio" to "film and recording studio" and clarifying the definition. He also said there should be parameters on auto-use businesses. Jones disagreed, saying they could

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