

Some of the changes made by the commission from the Water Quality Control Division's final Regulation 31 proposal that were made on June 11 were:

- The language that allows a wastewater treatment facility to seek less restrictive site-specific nutrient discharge limits was changed to "where evidence demonstrates" from the "expected conditions" that would have been defined by the Water Quality Control Division staff with no requirement to present any evidence used to determine the expected conditions.
- The language on the applicability of chlorophyll a interim values for rivers and streams was changed to avoid applicability to streams with sandy bottoms.
- Language was added for a direct use water supply lake or reservoir that is used regularly to provide raw water

directly to a water treatment plant.

The first Reg. 31 item above and the new Reg. 85 requirement for all wastewater facilities to monitor instream nutrient levels upstream and downstream of their discharge pipes are the reasons that wastewater facilities in El Paso County and Pueblo County are uniting to form a stream monitoring group at considerable new and continued expense under the auspices of the Pikes Peak Area Council of Governments for the Monument and Fountain Creek watersheds.

This new group will monitor nutrient levels and other stream constituents such as heavy metals and E. coli that are not part of the new Reg. 85 requirement, to provide the minimum amount of data necessary under Reg 85. and Reg. 31 for a wastewater facility to be able to apply for a discharger-specific variance based on the Tri-Lakes facilities' actual impact on Monument Creek.

This new group will operate

in a similar manner to the South Platte Coalition for Urban River Evaluation (SPCURE), whose processes and procedures are already accepted by the state Health Department and the EPA. The group will ensure compliance with the new Reg. 85 monitoring requirement and provide members sufficient defensive data gathering to be able to prove to the Water Quality Control Division and the commission during future permit negotiations that the facilities are not the cause of algal blooms or changes in river and stream ecosystems. The division, commission, EPA Region 8, and environmental groups have blamed treatment facilities for these changes for over 10 years with no supporting scientific evidence.

For more information on compliance with the new monitoring processes and procedures, see <http://www.spcure.org/>.

Unless nutrient levels are monitored at all creek confluences along Monument Creek

and Fountain Creek, there will be no way to demonstrate the effect of naturally occurring background nutrients or the actual level of non-point source nutrients entering Monument Creek and Fountain Creek, such as fertilizer runoff from non-point agricultural sources.

Wicklund said the overwhelming predominance of non-point source nutrients over point-source nutrients from wastewater facilities in state waters throughout the U.S. and in Colorado has already been widely and credibly documented by several federal agencies, despite numerous water division claims to the contrary, with no valid scientific evidence, at WQCC hearings over the past decade.

The new monitoring group will reduce the monitoring costs for each of the member wastewater entities by eliminating needless duplicative testing and ensuring that the same standardized procedures and processes are used by all members. Wick-

lund said the new group will also ensure broad financial strength during future commission hearings and permit negotiations for the site-specific standards, variances, and temporary modifications that will be necessary to avoid crushing debt for state-imposed technologies that have dubious cost-benefit tradeoffs at best, while obtaining the most reasonable permits limits.

For additional background on these costly and complex technical issues, see:

[www.ocn.me/v12n5.htm#juc](http://www.ocn.me/v12n5.htm#juc)  
[www.ocn.me/v12n5.htm#msd](http://www.ocn.me/v12n5.htm#msd)  
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[www.ocn.me/v12n3.htm#nutrients](http://www.ocn.me/v12n3.htm#nutrients)

### Fee increases remain unavoidable

The direct costs for the subsequent required plant expansion capital and operational costs to treat total nitrogen to attempt to just partially meet the interim values for 2022 in Reg. 31 will require minimum monthly fee increases of \$100 to \$200, according to engineering consultant Tetra Tech.

Wicklund again advised the board that the district had contributed \$1,500 for the Tri-Lakes facility as one of 10 entities that will participate in developing the watershed monitoring program noted above. The monitoring group will be operated and managed by engineering firm Brown and Caldwell, which has administered SPCURE operations for over a decade. Monument will be reimbursed \$500 each by the Palmer Lake Sanitation District and the Woodmoor Water and Sanitation District, which also own the Tri-Lakes facility in equal shares.

The meeting adjourned at 9 p.m.

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The next meeting will be held at 7 p.m. on Aug. 16 in the district conference room, 130 Second St. Meetings are normally held on the third Thursday of the month. Information: 481-4886 or the website addresses noted above.

Jim Kendrick can be reached at [jimkendrick@ocn.me](mailto:jimkendrick@ocn.me)

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