

also the JUC president, PLSD Board Secretary/Treasurer Ken Smith, and WWSO Board Director at Large Rich Strom. Other board and staff members of the three owner districts also attended, including MSD District Manager Mike Wicklund, PLSD District Manager Becky Orcutt, and WWSO Assistant District Manager Randy Gillette.

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Report on construction

Burks reported that construction was moving ahead on the TP chemical removal clarifier expansion project. Note: The expansion will allow TLWWTF, which currently has no designed TP treatment capacity, to comply with the state's Control Regulation 85 TP discharge effluent limit of 1 milligram per liter (mg/l) by Nov. 1, 2019 in accordance with the compliance schedule in the facility's May 1, 2015 five-year discharge permit. The existing plant's nitrification-denitrification process already complies with the Reg. 85 total inorganic nitrogen discharge limit of 15 mg/l.

Burks said recent progress included work on the roof, electrical system, sludge piping, sprinkler system, and backfilling around the structure to bring it up to grade. He said a change order of \$2,500 had been completed to add necessary seals that were "overlooked" on top of each of the slide gates. This item will be paid from the expansion's 10 percent construction budget contingency line item.

Note: This TP clarifier expansion of the existing \$6 million activated sludge facility was first estimated by Tetra Tech to cost \$1.08 million. However, Tetra Tech's estimate soon grew to \$4.312 million. The total approved budget for the expansion contract awarded by the JUC on May 12, 2015, after eliminating all the proposed Tetra Tech options, was \$3.642 million as of July 2015. (See contract details at www.ocn.me/v15n3.htm#tlfjuc0210 and www.ocn.me/v15n6.htm#tljuc0512.)

Regional water quality control report

Wicklund said that at the Jan. 5 meeting of Arkansas and Fountain Coalition for Urban River Evaluation (AF CURE), Sarah Reeves of engineering consultant Brown and Caldwell reported that the future Reg. 31.17 total nitrogen (TN) interim value might be less restrictive than the current 2.01 mg/l. Wicklund said a new engineering study by the City of Boulder showed that an average of 4 mg/l of TN below Boulder's wastewater discharge point was sufficient treatment to eliminate any harmful downstream algal blooms and that TP is the real problem for algae and periphyton growing in streams. Wicklund and Burks both said, "This helps us immensely." Wicklund said TLWWTF already has some of the lowest TN discharges in the state and all the TN is essentially gone in Monument Creek by the time the flows get to the Air Force Academy. "If we get our phosphorus really in control, they may not care about that nitrogen."

MSD environmental compliance coordinator Jim Kendrick added information on this TN treatment issue from the two-day state Water Quality Control Commission (WQCC) meeting held in Denver in December. He reported that Mindi May, of Colorado Parks and Wildlife (<http://cpw.state.co.us/>) reversed her previous position on TN at the Jan. 11 WQCC meeting after this study. May stated that a lakes and reservoirs water quality interim value of 4 mg/l for TN would likely be sufficient for all Colorado recreational and aquatic life uses rather than the 2.01 mg/l interim value currently contained in section 31.17 of the Basic Standards and Methodologies for Surface Water, Regulation 31 (5 CCR 1002-31). Kendrick added that May also stated on Jan. 11 that the biggest water quality issue was storage of phosphate in the bottom of reservoirs over the decades and TP treatment should be the primary WQCC focus for the near term.

This turnaround was remarkable. The new TP and TN limits of the state's new Control Regulation 85 and new Regulation 31.17 have been of concern for TLWWTF since they were formally approved in June 2012. (See www.ocn.me/v12n7.htm#juc) For example, Wicklund described the very expensive nutrient removal compliance requirements in Control Regulation 85 for total inorganic nitrogen and the far more expensive and unattainable compliance requirements for total nitrogen in state water quality Regulation 31.17. He said in August 2015 that the state's cost-benefit study sections on Monument Creek for Control Regulation 85 were not accurate or valid enough to justify the \$30 million expense for new total nitrogen removal equipment construction for the existing \$6 million plant. See www.ocn.me/v15n8.htm#tlfjuc0714 and www.ocn.me/v14n5.htm#juc0408. Kendrick said this Boulder study validated MSD's position that Tetra Tech's long-term proposal for additional TN treatment for TLWWTF would likely not be needed now.

Kendrick said he hoped the total nitrogen treatment topic would be discussed on Jan. 13 at the Colorado Wastewater Utility Council, but that probably no decision would be made until 2027.

Burks reported that at the Jan. 5 meeting of AF CURE, Brown and Caldwell suggested adding a new monthly sampling site in Dirty Woman Creek just east of Old Den-

ver Road. Burks said these additional AF CURE stream samples (for about 30 wastewater treatment constituents of concern) will also be tested in-house at TLWWTF like the rest of the monthly AF CURE stream samples currently being collected by the TLWWTF staff at Monument Lake Road, Arnold Avenue, and Baptist Road.

Burks said the coalition unanimously approved a division of total 2017 AF CURE fees among its 11 members by design flow capacities instead of the current equal shares. Colorado Springs Utilities (CSU) would see the biggest increase in its share of 2017 costs. TLWWTF will pay the new 4 to 10 million gallons per day fee for an increase of about \$1,800 per year. Wicklund said this was the best of the three options for cost sharing for all AF CURE members and that CSU already spends hundreds of thousands of dollars a year on data collection, which it shares with AF CURE. Burks said, "It's great to have them in the group. It's a big benefit to us."

Kendrick said at the two-day December WQCC hearing, AF CURE's environmental attorney, Gabe Racz of Vranish & Raisch LLP, was able to secure a provisional listing on temperature and metals impairment instead of the Water Quality Control Division's recommendation for an impaired listing for Monument Creek. He said this provisional listing was upheld at the Jan. 11 WQCC final approval hearing, so Tri-Lakes WWTF and Upper Monument Creek Regional WWTF will not be required to perform a very expensive immediate use attainability analysis and total maximum daily load study at Monument Creek north of the Northgate Road Exit 156 of I-25 to prevent this part of the creek from becoming an impaired stream segment. Kendrick said the membership in AF CURE was "good money spent" because of access to monthly sampling data for the entire Monument/Fountain Creek watershed as well as Racz's AF CURE legal representation.

Harmful algal blooms (HABs) were another topic of concern at the Jan. 11 WQCC meeting, Kendrick said. HABs contain microcystins, Cylindrospermopsis (a type of cyanobacterial toxin), and cyanobacteria (also known as blue-green algae). HABs are formed by imbalances of pH, light, temperature, and nutrients including nitrogen, phosphorus, and trace metals. The good news for Tri-Lakes residents is that HABs do not exist in streams, lakes, and reservoirs in the Fountain Creek watershed, which includes Monument Creek. However, HABs do exist in the Cherry Creek, DeWeese, and Stagecoach Reservoirs, restricting recreational access.

Kendrick reported that an unusually high \$1.8 million in 2015 mining fines had been assessed by the WQCC in Colorado. This annual fine revenue has always funded state Clean Water Act grants at an average rate of \$600,000 per year. However, he said, the state Legislature has proposed that \$1.2 million of the 2015 fines be re-allocated to the Water Quality Control Division general fund to offset a like-sized cut in EPA Performance Partnership Agreement subsidies of Division staff payroll starting in July 2016 to pay for otherwise unfunded Division staff positions. Division fees will have to be raised by the Legislature in the July 2017 to June 2018 state fiscal year to cover the loss of these EPA subsidies, he said.

Easement issue still pending

At the Dec. 8 meeting, the JUC had voted unanimously to have Wicklund present the facility's two standard access easement options to the private property owner immediately adjacent to the TLWWTF TP expansion within the Monument Sanitation District service area: \$500 in cash or an MSD residential sewer tap for the property. A prescriptive easement is already in place for this long-existing access to the Tri-Lakes facility, Wicklund said.

Wicklund reported on Jan. 12 that he had talked with the property owner, but they were not able to come to an agreement on an access easement that both could use.

Orcutt asked if Tetra Tech, the facility's construction engineering firm, would be held accountable for not doing its "due diligence" by verifying the property lines and easements before construction started in spring 2015. Orcutt also mentioned that Tetra Tech's engineering plans had not included a ventilation fan for the TP chemical storage building required by the fire marshal; a change order of about \$50,000 was required before a final building permit was issued by Pikes Peak Regional Building for the TP clarifier expansion. See www.ocn.me/v15n11.htm#tkfjuc1013.

After 70 minutes of discussion, the JUC consensus was to have Burks consult with TLWWTF attorney Mike Cucullu before the Feb. 9 JUC meeting to receive legal advice on how to proceed regarding the access easement for the TP expansion. The JUC also agreed that Burks would report their concerns about easement accountability to Tetra Tech.