



Colorado Department
of Public Health
and Environment

WATER QUALITY INFORMATION BULLETIN

Highlights For October 2021

- **Agenda: October 12, 2021**
<https://cdphe.colorado.gov/wqcc-meetings>

- **Notice of upcoming administrative action hearing**
 - Commission Policy 98-1
<https://cdphe.colorado.gov/wqcc-administrative-action-hearings>

- **Notice of upcoming informational hearing**
 - 401 Certification Regulation, Regulation #82 (5 CCR 1002-82).
<https://cdphe.colorado.gov/wqcc-public-informational-hearings>

- **Notice of upcoming issues scoping hearing**
 - Classifications and Numeric Standards for:
 - Arkansas River Basin, Regulation #32 (5 CCR 1002-32).
 - Rio Grande Basin, Regulation #36 (5 CCR 1002-36).<https://cdphe.colorado.gov/wqcc-public-informational-hearings>

- **Notice of upcoming issues formulation hearing**
 - Classifications and Numeric Standards for:
 - San Juan River and Dolores River Basins, Regulation #34 (5 CCR 1002-34).
 - Gunnison and Lower Dolores River Basins, Regulation #35 (5 CCR 1002-35).<https://cdphe.colorado.gov/wqcc-public-informational-hearings>

- **Summary of Proceedings/Motions (DRAFT)**
Water Quality Control Commission Regular Meeting, August 9, 2021
<https://cdphe.colorado.gov/wqcc-meeting-summaries>

SPECIAL NOTES

Notice: Withdrawal of Permitting Policy WQP-5, Permit Policy for Mining Activities

As of October 1, 2021, the Water Quality Control Division has withdrawn [WQP-5, Permit Policy for Mining Activities](#) (published in 1987). More information can be found at [this link](#).

Notice: Withdrawal of Permitting Policy WQP-2, Significant Digits in Permit Limitations

As of October 1, 2021, the Water Quality Control Division has withdrawn [WQP-2, Significant Digits in Permit Limitations](#) (published in 1987). More information can be found at [this link](#).

PUBLICATION DATE: October 1, 2021

A. PERMIT ACTIONS

1. PERMITS SENT TO PUBLIC NOTICE ON SEPTEMBER 9, 2021 - COMMENTS DUE BY OCTOBER 11, 2021

The website to view public notices and drafts:

<https://www.colorado.gov/pacific/cdphe/wq-actions-and-public-notice>

2. GENERAL PERMIT CERTIFICATIONS - AUGUST 2021

<https://www.colorado.gov/pacific/cdphe/wq-final-permit-actions> for Permits info

| PERMITTEE/FACILITY NAME | PERMIT | COUNTY | ISSUED |
|---|------------|-------------|------------|
| IKAV Energy Inc / McCaw SWD Inlet | COG-080296 | La Plata | 08/02/2021 |
| Global Diving and Salvage/Gross Reservoir | COG-080297 | Boulder | 08/02/2021 |
| Fransen Pittman General Contractors/Pathways Hospice | COG-080298 | Larimer | 08/02/2021 |
| Hensel Phelps Construction Co/Chamonix Hotel and Casino | COG-317032 | Teller | 08/02/2021 |
| Kilgore Companies LLC d/b/a Elam Construction Inc/ 23 ¼ West Pit | COG-502196 | Mesa | 08/03/2021 |
| Colorado Liberty Pipeline LLC/Pony Express Guernsey Expansion | COG-604422 | Weld | 08/04/2021 |
| The Aspen Digger Inc/ Basalt River Park | COG-080299 | Eagle | 08/05/2021 |
| Kissner G.C Inc/Ridgway Reservoir Spillway Fish Screen | COG-080300 | Ouray | 08/05/2021 |
| 53 Corporation LLC/Black Squirrel Drainage Improvement | COG-080301 | El Paso | 08/05/2021 |
| Opus Development Co LLC/ Colfax & Kalamath Apartments | COG-317003 | Denver | 08/05/2021 |
| City of Denver/29 th & Speer Blvd Sanitary Sewer Project | COG-317034 | Denver | 08/05/2021 |
| 53 Corporation LLC/Copperleaf WQ Pond J Improvements | COG-080302 | Arapahoe | 08/11/2021 |
| IKAV Energy Inc/Bayfield SWD to Sitton SWD Gas and Water | COG-080303 | La Plata | 08/11/2021 |
| Wagner Construction Inc-Colorado/Austin Ave Water Main | COG-080304 | Weld | 08/11/2021 |
| Oldcastle SW Group Inc d/b/a United Co/ Two Rivers Road | COG-080305 | Eagle | 08/11/2021 |
| Naranjo Civil Constructors Inc/Green Lake Intake | COG-080306 | Clear Creek | 08/11/2021 |
| Vortex Services LLC/30”36” Irrigation Transmission Line | COG-317035 | Adams | 08/11/2021 |
| Wadsworth Golf Construction Co/Valley Country Club | COG-317036 | Arapahoe | 08/11/2021 |
| City and County of Denver-DEH/Colorado Convention Ctr | COG-318078 | Denver | 08/11/2021 |
| The Whiting-Turner Contracting Co/Ashcroft Draw Lift Station | COG-080307 | Weld | 08/17/2021 |
| DeFalco Construction Co/Bohn Park SW Improvements | COG-080308 | Boulder | 08/17/2021 |
| Wildcat Construction Co Inc/Crest Phase III | COG-080309 | El Paso | 08/17/2021 |
| F&M Construction Inc/ART North Segment 1 | COG-080310 | La Plata | 08/17/2021 |
| Urban Villages Inc/ Sugar Cube Bldg | COG-318097 | Denver | 08/17/2021 |
| Osprey Packs Inc/Osprey Base Camp | COG-318098 | Montezuma | 08/17/2021 |
| Kissner G.C Inc/Hamilton Rd Water Main Replacement | COG-080311 | Delta | 08/18/2021 |
| Na Ali’i Consultants and Sales/Heil 2 Trailhead | COG-080312 | Boulder | 08/18/2021 |
| Twin Landfill Corp/Twin Milner Facility | COG-080313 | Routt | 08/18/2021 |
| HEI Civil/Red Barn Subdivision | COG-080314 | Weld | 08/18/2021 |
| CGRS Inc/Crown Market | COG-317037 | Denver | 08/18/2021 |
| Jalisco International Inc/Broadway Reconstruction (Violet to US 36) | COG-317038 | Boulder | 08/18/2021 |
| CDM Properties/Meadowood | COG-080315 | Arapahoe | 08/19/2021 |
| SEMA Construction Inc/Brighton 124 th Reservoir | COG-080316 | Adams | 08/19/2021 |
| Asphalt Specialties Co Inc/Turnpike Mining Resource | COG-501586 | Weld | 08/19/2021 |
| Asphalt Specialties Co Inc/Chavers Mining Resource | COG-501603 | Weld | 08/19/2021 |
| ESCO Construction Co/Hogchute Reservoir | COG-080317 | Mesa | 08/20/2021 |
| Bryan Construction Inc/Wadsworth Station | COG-317039 | Broomfield | 08/23/2021 |
| Elevations Credit Union/ 221 E. Mountain Ave | COG-318101 | Larimer | 08/23/2021 |
| GLH Construction LLC/Mountain View West Subdivision | COG-080319 | Larimer | 08/25/2021 |
| Christian Living Communities/Peakview | COG-318100 | Arapahoe | 08/26/2021 |
| Ready Mixed Concrete Co LLC/Holton Lakes Sand and Gravel Pit | COG-501201 | Weld | 08/26/2021 |
| Town of Platteville/Platteville WWTF | COG-589164 | Weld | 08/27/2021 |
| Verizon Wireless/Verison Wireless Network Ctr | COG-318102 | El Paso | 08/30/2021 |

A. PERMIT ACTIONS (cont.)

3. CAFO GENERAL PERMIT CERTIFICATIONS - SEPTEMBER 2021

| PERMITTEE | PERMIT | COUNTY | ISSUED |
|--|------------|-----------|------------|
| Concentrated Animal Feeding Operation General Discharge Permit | COA-934000 | Statewide | 09/07/2021 |

B. ENFORCEMENT/CIVIL PENALTIES/CONSENT OF SETTLEMENT AGREEMENTS

Documents related to the below enforcement actions are available for public inspection at the Division. Copies of the below actions are available upon written request to the Division or, in most instances, may be obtained from the Divisions' Enforcement Action website: <https://www.colorado.gov/pacific/cdphe/wq-enforcement-actions>

1. ENFORCEMENT - NEW ACTION

| RESPONSIBLE PARTY | ACTION | COUNTY | DATE |
|--|---|-----------|------------|
| Barnard Structures Inc | Industrial - Notice of Violation/Cease and Desist Order/Order for Civil Penalty | El Paso | 09/09/2021 |
| Skanska USA Civil West Rocky Mountain District, Inc | Industrial - Notice of Violation/Cease and Desist Order/Order for Civil Penalty | Montezuma | 09/09/2021 |
| Sala, LLC; Orchim, LLC; Sage Hospitality Resources LLC, Sage Investment Holdings LLC | Industrial - Order for Civil Penalty | Boulder | 09/16/2021 |
| The Lion Owners Association, Inc | Industrial - Notice of Violation/Cease and Desist Order/Order for Civil Penalty | Eagle | 09/23/2021 |

2. CONSENT OR SETTLEMENT AGREEMENTS TO PUBLIC NOTICE

| RESPONSIBLE PARTY | ACTION | COUNTY | DATE |
|-------------------|--|---------|------------|
| KF 103-CV, LLC | Stormwater - Compliance Order on Consent | El Paso | 09/02/2021 |

C. CONSTRUCTION ACTIONS

1. Site Applications Reviews

| APPLICANT | TYPE | FACILITY DESCRIPTION | COUNTY | ACTION |
|--|--|--|-----------|------------------------|
| Town of Cedaredge | WWTP Site Application No. ES.13.SA.00206 [ES.21.SA.06006] | Town of Cedaredge WWTP Dewatering Improvements | Delta | Approved 09/07/2021 |
| Mesa Verde National Park | WWTP Site Application No. 5098 [ES.21.SA.06211] | Mesa Verde National Park WWTP Leach Field Modification | Montezuma | Approved 09/20/2021 |
| Town of Windsor | WWTP Site Application No. 4286 [ES.21.SA.06070] | Windsor WWTP Biosolids Management Improvements | Weld | Approved 09/20/2021 |
| City of Loveland | Lift Station Site Application No. ES.21.SA.06243 | Taft Lift Station In-Kind Replacement | Larimer | Approved 09/21/2021 |
| Copper Mountain Consolidated Metropolitan District | WWTP Site Application No. 4677 [ES.20.SA.05813] | CMCMD WWTP Equalization Basins Mixing System In-Kind Replacement | Boulder | Approved 09/23/2021 |

C. CONSTRUCTION ACTIONS (cont.)

2. Plans and Specifications Reviews

| APPLICANT | SITE APPLICATION | FACILITY DESCRIPTION | COUNTY | ACTION |
|--------------------------------|--|---|----------|------------------------|
| Bear Ranch LLC | Site Application No. ES.20.SA.05803 | Bear Ranch WWTP 1 and 2 Dilution Water Addition Self-Certification Acceptance ES.21.CWFDR.06335 | Gunnison | Approved 08/30/2021 |
| Town of Cedaredge | Site Application No. ES.13.SA.00206 [ES.21.SA.06006] | Town of Cedaredge WWTP Dewatering Improvements Process Design Approval ES.21.CWPDR.06007 | Delta | Approved 09/08/2021 |
| Colorado Parks and Wildlife | Site Application No. 4063 [ES.20.SA.05355] | Highline Lake State Park WWTP Expansion Process Design Approval ES.20.CWPDR.05356 | Mesa | Approved 09/15/2021 |
| Wiley Sanitation District | Site Application No. ES.20.SA.05514 | South Lift Station Final P/S Approval ES.20.CWPDR.05515 | Prowers | Approved 09/20/2021 |
| Wiley Sanitation District | Site Application No. ES.20.SA.05382 | North Lift Station Final P/S Approval ES.20.CWPDR.05383 | Prowers | Approved 09/20/2021 |

D. WATER QUALITY CERTIFICATIONS (Section 401)

Water Quality Certifications, under Section 401 of the Clean Water Act, provide for Division determinations that federally issued permits and licenses will comply with the Basic Standards and Methodologies for Surface Water, the Basic Standards for Ground Water, surface and ground water classifications and water quality standards, and all other applicable water quality requirements for the affected waters.

- For the purposes of the antidegradation requirements found in Section 31.8 of the Basic Standards and Methodologies, the following projects have been reviewed to make a preliminary determination of the significance of such projects and a draft certification determination. Public comment on these preliminary determinations will be received for thirty days following the date of publication of this newsletter. More information on the specific projects can be obtained from Scott Garncarz (scott.garncarz@state.co.us), (303) 692-2374 or Trevor Klein (trevor.klein@state.co.us), (303) 691-7809. The U.S. Army Corp of Engineers (COE) may also review these projects, under Section 404 of the Clean Water Act, and a list of their current public notice can be found on their web site.

| APPLICANT | PERMIT | ACTIVITY | COUNTY | WATERBODY | DETERMINATION |
|---|------------------------|--|---------|---|--|
| #4476 - Mile High Flood Dist / Happy Canyon Creek at Ridgegate Parkway | NWO-2021- 01478-DEN | Channel improvements including two peak shaving ponds, a new road crossing, and stream and bank stabilization. | Douglas | Happy Canyon Creek, South Platte River Basin, Seg. COSPCH04a of Cherry Creek Sub-basin | Draft 82.5(A)(3) Conditional Certification |

E. GRANTS AND LOANS UNIT

1. PRE-QUALIFICATION SUBMITTAL

| ENTITY | AMOUNT | PROJECT DESCRIPTION | COUNTY | DATE |
|---|-------------|--|----------|------------|
| Town of Crested Butte | \$9,000,000 | This project consists of a secondary treatment process building, replacement of the solids processing equipment, and rehabilitation of the existing compost building. Site improvements include storm water management and upsizing the potable water service to meet fire protection standards. | Gunnison | 09/02/2021 |
| Teller County Water and Sanitation District | \$700,000 | The project consists of evaluating alternative treatment and water sources due to combined radium (-226 & -228) levels in excess of the State Maximum Contaminant Level. | Teller | 09/07/2021 |

2. PROJECT NEEDS ASSESSMENT SUBMITTAL

| ENTITY | AMOUNT | PROJECT DESCRIPTION | COUNTY | DATE |
|-------------------|--------------|---|----------|------------|
| City of Englewood | \$17,400,000 | Stormwater conveyance and detention pond. | Arapahoe | 09/02/2021 |
| Town of La Jara | \$1,543,000 | Wastewater treatment facility improvements. | Conejos | 09/02/2021 |

3. DESIGN AND ENGINEERING GRANT AWARDS

| ENTITY | AMOUNT | PROJECT DESCRIPTION | COUNTY | DATE |
|---------------|---------|---|---------|------------|
| Town of Ramah | 197,209 | The project consists of constructing three evaporation ponds sized appropriately for complete evaporation of the town's wastewater loading, and constructing a lift station and force main. | El Paso | 09/02/2021 |

4. FINDING OF NO SIGNIFICANT IMPACT AND CATEGORICAL EXCLUSION DETERMINATIONS

| ENTITY | AMOUNT | PROJECT DESCRIPTION | COUNTY | DATE |
|-----------------|-------------|-------------------------|--------|------------|
| Town of Minturn | \$3,200,000 | New water storage tanks | Eagle | 09/22/2021 |

5. CONSTRUCTION COMPLETIONS

| ENTITY | AMOUNT | PROJECT DESCRIPTION | COUNTY | DATE |
|------------------------|------------|---|---------|------------|
| Penrose Water District | 216,680.07 | The project consists of improvements to water treatment facilities, water storage facilities, and associated appurtenances. | Fremont | 09/15/2021 |

E. GRANTS AND LOANS UNIT (cont.)

6. SMALL COMMUNITIES AND NATURAL DISASTER CONTRACTS EXECUTED

| ENTITY | AMOUNT | PROJECT DESCRIPTION | COUNTY | DATE |
|---------------------------------------|----------|---|----------|------------|
| Stucker Mesa Domestic Water Company | \$28,000 | This project serves to create an engineering report for Stucker Mesa Domestic Water Company in Delta County, Colorado. The project will fund an engineering report to study current water treatment, raw water analysis, source water analysis, alternative raw water strategies, and proposed solutions. The engineering report will enable the company to make progress towards resolving the turbidity issues. | Delta | 09/15/2021 |
| Somerset Domestic Waterworks District | \$50,000 | Somerset Domestic Waterworks District is in the process of taking ownership of the Oxbow mine water treatment facility. This project will enable the district to create the planning documents to ensure a successful transition and help ensure the district will be able to operate the water treatment facility. | Gunnison | 08/30/2021 |

F. FINAL TOTAL MAXIMUM DAILY LOADS PUBLISHED ON OCTOBER 1, 2021.

Total Maximum Daily Loads (TMDLs) developed under Section 303(d) of the Clean Water Act are pollutant specific and identify the available assimilative capacity, pollutant sources, and allocate assimilative capacity among those sources. A TMDL has been developed to address the waterbody and pollutant indicated below. Collectively, the TMDL for these segments is referred to as the Grand Valley TMDL.

COLCLC13b_A - Lewis Wash, Persigo Wash, Pritchard Wash, Hunter Wash, Little Salt Wash, Big Salt Wash, Reed Wash; selenium and iron

COLCLC13b_B - Salt Creek; selenium and iron

COLCLC13b_C - Leach Creek, Adobe Creek; selenium, iron, and E. coli

COLCLC13b_D - Indian Wash; selenium and iron

The division is republishing its final determination of the Grand Valley TMDL to ensure that the public has the opportunity to review the final determination document for 30 days. The final determination of the TMDL was previously published in the Water Quality Information Bulletin dated July 30, 2021, which indicated the TMDL would be posted to the division's website on August 10, 2021. While this provided a full 30 days of review for the final TMDL, the difference between the Bulletin date and the date of posting of the final TMDL may have caused some confusion. The information in the Water Quality Information Bulletin regarding the August 10, 2021 posting also included conflicting information regarding whether comments would be accepted on the final TMDL. This notice clarifies that the division is not accepting comments on its final determination of the TMDL. The final TMDL will be available on [WQCD's TMDL webpage](#) on October 1, 2021.

This publication of the report in the Water Quality Bulletin constitutes the division's determination of the final TMDL. For more information about the procedural rules associated with TMDL development, please review Regulation 21 at:

<https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7100&fileName=5%20CCR%201002-21>

For more information, please contact Tristan Acob at (303) 692-6398 or tristan.acob@state.co.us

Additional information is available on WQCD's TMDL webpage at <https://www.colorado.gov/pacific/cdphe/total-maximum-daily-loads-tmdls>

The division is not accepting public comment at this time. Following the close of the 30-day period for public review of the final determination of the TMDL (November 1, 2021), the TMDL will be submitted to EPA for approval unless a timely appeal is filed with the WQCC by November 1, 2021.