

# STATE OF COLORADO

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Colorado Department  
of Public Health  
and Environment

**Annual Report to the  
Colorado Legislature and  
Water Quality Control Commission  
Fiscal Year 2007-2008**

Submitted to the Colorado Legislature and Water Quality Control Commission  
by the Water Quality Control Division  
Colorado Department of Public Health and Environment  
October 2008

## **FOREWARD**

I am pleased to submit the Water Quality Control Division's (Division's) Annual Report to the Water Quality Control Commission (Commission) for the period from July 1, 2007 through June 30, 2008 (FY 08). Pursuant to CRS Section 25-8-305, the Division is to file with the Commission, on an annual basis, a report on the effectiveness of its efforts under the state Water Quality Control Act. In particular, the Division is to:

Include in such report such recommendations as it may have with respect to any regulatory or legislative changes that may be needed or desired. Such report shall include the then current information that has been obtained pursuant to Section 25-8-303 [monitoring] and information concerning the status of the Division's implementation of the discharge permit program established in part 5 of this article.

Further, in accordance with the requirements of section 25-8-305 of the Colorado Water Quality Control Act, this report is also filed with the House Agriculture, Livestock, and Natural Resources Committee and the Senate Agriculture, Natural Resources and Energy Committee.

James B. Martin  
Executive Director  
Colorado Department of Public Health and Environment  
October 2008

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## **I. NECESSARY LEGISLATIVE OR REGULATORY CHANGES**

### **A. Legislative Changes**

In 2008, the General Assembly passed House Bill 1099, which modified the Colorado Water Quality Control Act to address areas of the Water Quality Control Commission's permit regulations that are not as stringent as the conforming federal regulations. The General Assembly also passed House Bill 1073, which provides the Operator Certification Board the authority to exempt certain dischargers from the requirement to retain a certified operator under limited conditions.

### **B. Regulatory Changes**

With reference to regulatory changes that may be needed or desired, the Commission is fully aware of the on-going efforts of the Division to address a variety of issues through collaborative work group processes, including those formed under the auspices of the Water Quality Forum. The stakeholder community is advancing many work group proposals. A recent status report on work group efforts is attached as Appendix A.

The Commission held several rulemaking hearings in FY 2008. Those regulations discussed were as follows:

1. July 2007 – Primary Drinking Water regulations and Reg 38, Cache la Poudre water quality standards/Boulder Creek copper standards
2. August 2007 – Reg 82, 401 Certification Regulation and Reg 84, Reclaimed Water Quality Control regulation
3. October 2007 – Reg 38, South Platte water quality standards and Reg 65, Discharge to Storm Sewers
4. November 2007 – Regs 33 & 37, Upper and Lower Colorado River water quality standards
5. December 2007 – Reg 32-38, Temporary Modifications in Basin and Regs 31, 41, & 42, Ground Water Regs and quality standards
6. January 2008 – Reg 62, Effluent Limitations
7. February 2008 – Regs 93-94, Section 303(d) list
8. March 2008 – Reg 61, CDPS regulations
9. April 2008 – Reg 72, Cherry Creek Control regulation and Reg 81, AFO Control regulations
10. May 2008 – Reg 22, Site Approval regulation
11. June 2008 – Reg 33 & 37, Upper/Lower Colorado water quality standards

## **II. MONITORING ACTIVITIES**

The Division's surface water monitoring activities for FY 2008 were grouped into four general types: (1) routine sampling; (2) special studies; (3) lake and reservoir monitoring; and (4) aquatic life and habitat studies. The majority of the Division's sampling efforts were devoted to the collection of water chemistry samples from the four major river basins across the state with an emphasis on the South Platte River Basin. River and stream sites in this basin are sampled for the purposes of reviewing and developing standards for triennial reviews, water quality assessments, developing total maximum daily limits (TMDLs), Clean Water Act Section 303(d) listing determinations, and for reporting trends and water quality status in Colorado's Section 305(b) report.

## **A. Routine Sampling**

The Division uses a rotating basin approach for primary stream monitoring. The entire state is sampled on a five-year cycle that matches the Commission's schedule for triennial reviews of basin standards and classifications. For the purposes of conducting the triennial reviews, the state has been divided into four major river basins. Each of the four major river basins is sampled intensively once every five years. This allows the Division to concentrate its limited resources in one basin in order to provide a complete set of data in preparation for the triennial review scheduled for that basin. In every fifth year of the cycle, Regulation No. 31 (Basic Standards and Methodologies for Surface Water) is reviewed by the Commission and there is no need to intensively sample one of the major basins. For that year, sampling is more evenly allocated among the long-term trend sites in the four basins, special studies are conducted, specific data gaps may be filled, etc.

The number of sites and the number of times each site is sampled each year is controlled by the Division's fixed monitoring budget for laboratory analyses, which in FY 2008 was \$410,000. The samples collected are analyzed by the Department's Laboratory Services Division. Depending upon the amount of data sought for a particular site and the accessibility of the site, sites were visited on a regular schedule, such as monthly, bimonthly or when weather and road conditions allow access. In SFY08, routine water chemistry samples were collected from a network of 223 sampling sites located across the state. The Division concentrated 62 percent of the sampling in the South Platte River Basin. The remainder was allocated to the Colorado River Basin (16 percent), Arkansas and Rio Grande Basins (13 percent), and the San Juan and Gunnison River Basins (9 percent). This sampling resulted in the collection of 970 sample sets. Samples were analyzed for a suite of constituents including metals, inorganics, nutrients and *E. coli*. Field parameters such as dissolved oxygen, pH, conductance, and temperature were also collected.

## **B. Special Studies**

Special studies monitoring includes synoptic sampling events for total maximum daily load determinations, fish tissue sampling, and other water quality investigations. Six different synoptic sampling events were conducted in FY08 to obtain water quality data for upcoming TMDLs. Five of the six events were for streams listed for metals, such as Gamble Gulch in the Boulder Creek basin (Cu, Zn, pH), Illinois Gulch in the Blue River basin (Zn), Sage, Grassy, and Dry Creeks in the Yampa River basin (Se), Oh-Be-Joyful and the Slate River near Crested Butte in the upper Gunnison basin (Cd, Cu, Pb, Zn), and Red Mountain Creek and the Uncompahgre River (Cd, Cu, Zn, Fe). The sixth sampling event was for *E. coli* on the Elk River in the Yampa River basin.

Fish tissue sampling to detect the presence of mercury was completed at 16 reservoirs across the state from July 1, 2007 through June 30, 2008. This effort resulted in 106 composite tissue samples for analysis by the Department's Laboratory Services Division. Of these 16 water bodies, one exceeded the action level for mercury and was a candidate for a fish consumption advisory. As of July 1, 2008, there are 19 total fish consumption advisories for lakes and reservoirs in Colorado.

Arsenic and selenium were also analyzed in fish tissues from these reservoirs. The Division is currently working with the CDPHE Disease Control and Environmental Epidemiology Division to determine action levels for selenium concentration in fish tissue. A risk assessment for arsenic will be performed in SFY2009.

### **C. Lake and Reservoir Monitoring**

The Division continued its lake and reservoir sampling in FY 2008. The Division visited 12 reservoirs/lakes during the algal growing season from June through August. Sites were located in the Upper and Lower Colorado River Basins, with the addition of Taylor Park Reservoir. All sites were visited three times. At each lake, depth profiles of dissolved oxygen, pH, conductivity, and temperature were collected at one-meter intervals. Water quality samples were taken from near the surface and near the bottom. Samples were analyzed for a suite of chemical parameters including nutrients, metals, and inorganics. In addition, the surface sample was analyzed for the chlorophyll a content as a measure of trophic status and for the phytoplankton population to determine the algal species composition.

In cooperation with the WQCD, EPA collected and analyzed lakes information from 10 lakes in the South Platte River Basin to assist the WQCD in their nutrient criteria development efforts. Sampling protocols were similar to the WQCD except that no bottom samples were collected.

### **D. Aquatic Life and Habitat Studies**

Macroinvertebrate and habitat samples were collected at 39 sites across the state. At each of the habitat sites, water quality samples were taken and analyzed for a specific suite of constituents. These data, plus substrate measurements, habitat scores and periphyton samples, will be used in the development of expected conditions and assessments of aquatic life.

This year's aquatic life and habitat studies included a one-day sampling event along Bear Creek, which involved 8 sites. Furthermore, the Grand County Water Information Network collected macroinvertebrate samples from 8 more sites around the Winter Park area.

### **E. Nonpoint Source Monitoring Requirements**

Grant requirements under the Clean Water Act Section 319 prescribe that nonpoint source projects for on-the-ground restoration and remediation activities report measurable results. EPA defines measurable results as "restoring waters to partial or full uses and standards, or as a minimum, reducing pollutant loads such as nutrients and sediment." To accomplish this, existing nonpoint source impacts must be better quantified in order to provide a water quality baseline from which to measure improvements. Surrogate measures, such as a record of the best management practices installed, can be used to evaluate the total project effort, but do not provide data that equate to water quality improvements. Few nonpoint source project sponsors have the expertise needed to prepare an adequate sampling and analysis plan that can be used to assess changes in water quality. As a result, the Division modified its approach to monitoring and evaluating nonpoint source projects. Starting with the 2004-2005 Nonpoint Source Section 319 project cycle, sponsors are required to provide more definitive water quality baseline data and subsequent post-project data to substantiate project outcomes. This additional monitoring requirement was continued during fiscal year 2007-08.

Nonpoint source management activities are implemented by using a focused watershed-based approach. This approach was initiated by synchronizing nonpoint source monitoring needs with the five-year, basin-monitoring schedule used to collect water quality data in support of the triennial review of basin classifications and standards. The Colorado and San Juan River basins were identified as the watershed funding priority in fiscal year 2007-08.

## **F. Cooperative Monitoring Activities**

To ensure that the maximum amount of relevant data is assessed each year, the Division issues a “call for data” to numerous cooperators, including federal and state entities, basin authorities, dischargers, and watershed groups, as well as River Watch and Section 319 sponsors. Through this mechanism, the Division accumulates a considerable amount of data beyond what it can directly sample and analyze.

As a charter member of the Colorado Water Quality Monitoring Council (Council), the topic of cooperative monitoring efforts has been discussed with other stakeholders. To facilitate data sharing, the Council has initiated a Data Sharing Network. The Data Sharing Network is a statewide, web-based, water quality database and interactive map. Anyone who would like to share water quality data can upload their data through a template on the Internet. This data can be accessed (read only) by anyone. Anyone accessing the map can zoom into a particular watershed and click on a monitoring site (dots on the map) to find out who is monitoring at that site and what parameters exist. If the monitoring entity has uploaded data, the data can be viewed and downloaded. The data that is uploaded must comply with the STORET (EPA national database) requirements so that it is in a standard format that is usable by EPA and the state.

A Clean Water Act Section 319 grant from the Division is funding this project and includes development of training materials, user training, and outreach to publicize the network and to seek out monitoring data to populate it. The Division is continually working on ways to build its capacity to gather water quality through partnerships with other agencies and citizen groups.

## **G. Augmented Monitoring Funds**

In federal FY2007 and in order to upgrade state monitoring efforts and encourage implementation of the Monitoring and Assessment Strategies for States, EPA placed an additional \$17 million in the Clean Water Act Section 106 state grants dedicated to monitoring purposes. Colorado received \$441,900 of these “Monitoring Initiative” funds for a two-year period to facilitate the implementation of EPA’s 10 Elements document and to conduct a statewide Lakes Probabilistic Survey of water quality as part of a national project. The Division has earmarked these funds for increased biological and habitat monitoring, biological data management, training, risk assessments for fish tissue analysis, additional monitoring of rivers and lakes, a Sweitzer Lake TMDL and ambient ground water monitoring.

# **III. PERMIT PROGRAM**

## **A. Permit Backlog Reduction**

In the time since the Division originally received approval of the backlog reduction plan in May of 2000, EPA’s backlog reduction program has expanded to include individual stormwater permits and general process water permits. For 2007-2008, the Division continued its shift in backlog focus from primarily individual permits to both individual permits and general permits to keep pace with EPA’s backlog reduction strategy. The Performance Partnership Agreement between the Department and EPA for Federal Fiscal Year 2007 (October 2006 – October 2007) included a goal that 80 percent of the permits included in EPA’s backlog reduction program would be current (20 percent backlogged). The Division’s best estimate of backlog as of October 1, 2007 was 79 percent current, just short of the 80 percent target. The PPA commitment for Federal Fiscal Year 2008 (October 2007 – September 2008) is

90 percent current, and the Division anticipates that by the end of September 2008, it will be short of that number, with between 80 and 90 percent of permits being current as defined by EPA.

Another important element of EPA's backlog reduction efforts is priority permits. EPA considers any renewal permit that has been expired and administratively extended, or any new permit that has not been issued, for two years or more to be a candidate priority permit. As part of the Performance Partnership Agreement between the Department and EPA, EPA requires 95 percent of each state's priority permits to be issued during the fiscal year. This is a continuing priority for the Division for the coming year. As of September 30, 2007, the Division was successful in issuing all 5 of its priority permits. For federal fiscal year 2008, the Division has 18 priority permits and it was successful in issuing all 18 by September 30, 2008.

## **B. Stormwater Program**

Stormwater discharges are generated from runoff from land and impervious areas such as paved streets, parking lots, and building rooftops during rainfall and snow events and often contain pollutants in quantities that could adversely affect water quality. Most stormwater discharges are considered point sources and require coverage by a permit. The primary method to control stormwater discharges is through the use of best management practices. EPA's stormwater regulations went into effect in two phases. Commission regulations, which adopted Phase I of EPA's stormwater regulations, were finalized in September 1993 and Phase II of the regulations were finalized in March 2001.

Most stormwater discharges in Colorado are authorized under general permits, which cover a category of discharges, such as construction, municipal storm sewer systems, and industrial sectors. Authorizations to individual discharges are issued in the form of certifications under a general permit. During 2007 - 2008, a total of 1852 new stormwater certifications were issued, a 22 percent decrease over the previous fiscal year. As of June 30, 2008, there were 5,753 active general permit certifications for industrial and construction activities (420 were related to oil and gas construction) and one individual permit. As of June 30, 2008, there were 116 active Municipal Separate Storm Sewer System (MS4) general permit certifications for Phase II municipalities and five MS4 individual permits for Phase I municipalities.

The Division's compliance assurance strategy for stormwater discharges implements both compliance assistance and inspection/enforcement to enhance water quality protection. A variety of educational materials is available and the Division staff conducted approximately 50 presentations for stakeholder groups. The Division's stormwater inspection program continued to grow during the past year, with a total of 385 compliance evaluation inspections having been performed during 2007-2008.

## **C. Permitting for Environmental Results**

The Permitting for Environmental Results (PER) initiative is a multi-year effort by EPA and the states to improve the overall integrity and performance of the National Pollution Discharge Elimination System (NPDES) permitting program. The initial effort was completed in 2004 which culminated in EPA's assessment of the Division's permitting program, documented in a report, *NPDES profile: Colorado and Indian Country*. This is available on EPA's website at: ([http://www.epa.gov/npdes/pubs/colorado\\_final\\_profile.pdf](http://www.epa.gov/npdes/pubs/colorado_final_profile.pdf)). EPA's purpose in preparing these state profiles is to develop an information base for EPA's identification of NPDES program strengths and opportunities for enhancement.



Another effort under PER was a comprehensive review of each state's legal authority for its permitting and compliance programs. EPA contractors conducted this effort with assistance from each state. EPA identified several aspects of Colorado's permitting regulations (Colorado Discharge Permit System (CDPS)) that were not as stringent as the corresponding federal requirement, which needed to be addressed in order for Colorado to maintain delegation of the federal NPDES permitting program. The Division convened a stakeholder group in the fall of 2006 to consider changes to the regulation, as well as the Colorado Water Quality Control Act (CWQCA), necessary to meet the requirement for federal delegation. The stakeholder group also identified several areas where the regulation could be improved. The group recommended a two-phase approach to the Water Quality Control Commission (Commission) to adopt changes to the regulation that did not require a statutory change in 2008 and to hold a second hearing to adopt changes based on anticipated revisions to the statute. The Commission agreed and, in March of 2008, the Commission adopted several changes to the CDPS regulations that addressed WPA issues as well as recommended changes to improve the regulations. The two issues that required revisions to the CWQCA were adopted by the General Assembly in HB 08-1099. Conforming changes to the CDPS regulations to address those issues, as well as additional recommended changes to improve the CDPS regulations are scheduled for consideration by the Commission in a February 2009 rulemaking hearing.

#### **D. Environmental Agriculture Program**

The Environmental Agriculture Program (Ag Program) administers the Department's regulatory, permitting, compliance assistance and compliance assurance activities for animal feeding, concentrated animal feeding and housed commercial swine feeding operations. The Ag Program is the Department's first cross-media, sector-based program that leverages resources from the Water Quality Control and Air Pollution Control Divisions and the Office of Environmental Integration & Sustainability. The program is staffed by 3.0 FTE from the Water Quality Control Division, 1.0 FTE from the Office of Environmental Integration & Sustainability and two 0.5 FTEs from the Air Pollution Control Division. The goal of the Ag Program is to approach environmental issues in a holistic way that takes into account the interaction and environmental impact of air, water and waste together prior to making regulatory and policy decisions.

The regulatory and permitting requirements for animal feeding, concentrated animal feeding and housed commercial swine feeding operations are contained in Water Quality Control Commission Regulations No. 61, the Colorado Discharge Permit System Regulations, and No. 81, the Animal Feeding Operations Control Regulation. During FY08, the Ag Program certified 9 new CAFOs under the general permit. In addition, the program conducted the following activities: completed 40 CAFO inspections and 29 compliance assistance site visits, completed a rulemaking on Regulation No. 81 as recommended during the regulation's triennial review to provide greater protection of surface and groundwaters from AFOs (including non-permitted CAFOs), responded to 10 CAFO complaints, 9 AFO complaints; updated the state CAFO inventory to include 209 CAFOs in Colorado; and completed implementation of a self-certification (Environmental Results Program) regulatory project that resulted in improved compliance with CAFO impoundment liner certification requirements in Regulation No. 81. As a result of the project, Early Settlement Agreements were issued to 32 CAFOs for lacking proper certification of a liner(s). One CAFO was referred to the Water Quality Control Division for consideration of further enforcement.

Along with CAFOs, the program regulates housed commercial swine feeding operations. These facilities are capable of housing 800,000 pounds or more of swine at any one time and are more stringently regulated than CAFOs (dairy, feedlots, poultry facilities) due to a citizen referendum passed by

Colorado voters in 1998. The Department has issued 11 individual permits to swine operations and actively works with producers to assure compliance with their permits. There are 92 permitted swine facilities in Colorado that are inspected twice a year by personnel from three local health departments. Program staff meets quarterly with the local health departments on matters pertaining to swine facility inspections and related compliance assurance matters.

Future goals of the Ag Program include projects to ensure compliance with other Regulation No. 81 requirements, e.g., a Standard Operating Procedure requirement for impoundment clean-out, providing outreach to CAFOs on new regulatory requirements associated with the FY08 Regulation No. 81 rulemaking, completing the review and finalization of Financial Assurance Plans for HCSFOs, and exploring innovative ways to address compliance issues such as record keeping deficiencies and monitoring requirements.

### **E. Water Quality Information Systems Improvement Projects**

The Division maintains several dispersed databases to support the compliance, enforcement and billing activities of the facilities-based Clean Water Act programs. All of the databases are outdated technology; two are no longer supported by the Department and at least two require constant maintenance to prevent imminent failure. Some managers track essential program information in Excel spreadsheets because the existing databases do not include needed workflow tracking functionality. These systems supplied information to an antiquated billing system.

Therefore, consistent with the Department's strategic plan and the goals of the National Environmental Information Exchange Network, the Division has undertaken a major modernization effort. Investment in database improvements have focused on replacing multiple legacy systems and providing an integrated system which includes the EPA-required modernized national NPDES database (ICIS), and investigating and preparing technical solutions to conduct business via the Internet.

Phase one of the project has been completed and is currently moving to production. This phase includes data conversion to the new ICIS system (completed in August of 2008); modernization of permit applications and forms and enforcement forms (completed in August 2008); deployment of a permit workflow and document tracking system (completed in August 2008); deployment of a new billing system (completed in September of 2008).

The completion of an inspection planning and inspection workflow tracking is scheduled for completion in November 2008. Integration of enhancements for stormwater, HCFO/CAFO, and online permitting and electronic data collection will follow.

Additionally, EPA requires that states maintain a local database for environmental information that has the ability to upload information into the EPA national database. EPA has provided this database in the past, but will no longer provide this support to the states in the future. Colorado has acquired a new system to manage this data (EQUIS). In addition to meeting EPA needs, this system will provide much more capability to manage data internally, to have third parties submit information for WQCD use, and to make our information available to the public in a variety of forms. This system should move to production in late SFY09 or in early SFY10. Requirements gathering, database design and initial testing are currently underway.

## **F. Termination of the Major Wastewater Treatment Plant Self-Certification Pilot Program**

In 2007 the Division proposed a program for qualifying major dischargers to self-certify their compliance status in lieu of a Division inspection. EPA, via the Performance Partnership Agreement, had required the Division to conduct annual inspections at all major dischargers and the Division had sought approval to implement the self-certification program and use the resources saved to work with minor dischargers with significant violations. Since that time EPA has revised the required frequency for inspection of major facilities to once every two years with an option for those with excellent compliance records to be inspected once every three years. With that change, the Division can direct resources to address significant violations for minor dischargers without the expense of implementing the major facility self-certification program. As such, the Division, in cooperation with the major dischargers, has decided to terminate the program.

## **G. Water Quality Improvement Fund**

In 2006 the Colorado General Assembly created the Water Quality Improvement Fund (Fund) codified in section 25-8-608, C.R.S., of the Colorado Water Quality Control Act (Act). The purpose of the Fund is to improve water quality in Colorado by providing grant funds for water quality improvement projects using civil penalties from water quality violations. The WQIF Rules (Regulation #55) were adopted and made effective July 30, 2007 by the Water Quality Control Commission.

Funding is dependent upon annual appropriations of the Colorado General Assembly and is based on violations that were committed on or after May 26, 2006. The resulting penalties collected by the Division are transmitted to the state treasurer for deposit to the credit of the Fund. However, annual spending authority (\$117,196) provided to the Division by the Colorado General Assembly is limited.

As provided for under section 25-8-608 (1.7)(a), C.R.S., the Fund will provide grants to the following project categories:

- (1) Category 1 – Projects that improve the water quality in the community or water body which has been impacted by a water quality violation that resulted in a penalty being imposed.
- (2) Category 2 – Planning, design, construction, or repair of stormwater projects and domestic wastewater treatment works, based on the current fiscal year's Water Pollution Control Revolving Fund and State Domestic Wastewater Treatment Grant Program Intended Use Plan.
- (3) Category 3 - Nonfederal match funding for the current fiscal year's nonpoint source projects as approved by the Commission.

By July 1 of each year, the Division posts on the Division's website the available funds for each of the project categories. Applications for grant funds are due to the Division by August 1. As provided in the Rules the fund is allocated as follows:

Category 1 project(s) receive 40% of available funds,  
Category 2 project(s) receive 30% of available funds, and  
Category 3 project(s) receive 30% of available funds.

The Division retains five percent (5%) of the moneys allocated annually to the Fund to cover the cost of administering the Fund. Funds may be carried over from previous years' appropriations and reallocated based upon the above distribution on an annual basis.

## IV. CONCLUSION

Category	Entity	Original Project Description	Total Project Cost	Award Date	WQIF Grant Award
<b>2007-2008 Awards</b>					
1	Pueblo City - County Health Department	The project will provide educational outreach to public community members and stakeholders on best management practices to minimize the potential water quality impacts of leaking or failing septic systems and agricultural runoff.	\$39,730.00	1/1/2008	\$28,885.00
2	Palmer Lake Sanitation District	Collection line expansion to eliminate health hazards from failed septic systems with the potential of polluting the drainage system of Monument Creek/Fountain Creek.	\$325,000.00	11/16/2007	\$21,664.00
3	Colorado Foundation for Ag	Environmental Education - This project encourages middle school students to become watershed defenders and protect our water from runoff pollution. It provides them with information on sources of water pollution and encourages personal action to prevent NPS pollution.	\$75,000.00	4/28/2008	\$21,655.00
<b>2008-2009 Awards</b>					
1	Commerce City, City of	This project will allow Commerce City stormwater staff to have close coordination with permitted industrial dischargers through the creation of a spatial database. This database will allow Commerce City staff to begin identifying pollutants associated with specific outfalls within their jurisdiction. This will allow the City to focus water quality mitigation activities on specific pollutant issues and at specific stormwater outfalls.	\$38,000.00	9/18/2008	\$36,072.02
2	Idalia Sanitation District	Minimization of increasing levels of nitrates in the Ogallala groundwater which have been increasing in the vicinity of the current wastewater lagoon.	\$396,868.60	9/2/2008	\$27,054.02
3	NPS Applications have yet not been processed				

The Division continues to plan and implement improvements to its critical monitoring and permitting programs. In the face of increasing expectations in these and other programs, the Division continues to explore innovative ways to improve its efficiency and performance so that the need for additional resources to meet program requirements is minimized while continuing to ensure that public health and the environment is protected.

**APPENDIX A**  
**Water Quality Forum Work Groups Status**  
 Last Updated August 22, 2008

Work Group	Chair/Coordinator/ WQCC Contact	Next Meeting(s)	Status
1. Standards Framework	Paul Frohardt (303-692-3468) Amy Woodis (303-286-3240) <b>Andrew Todd</b>	September 15, 2008; 9:00 a.m. DRCOG  October 15, 2008 December 16, 2008	Work group to address issues for potential consideration in 2010 Basic Standards rulemaking and/or for revised interpretation of existing Basic Standards provisions. The next two meetings will focus on mountain lakes DO, nonylphenol, <b>discharger-specific variances</b> and the biotic ligand model.
2. Nutrient Criteria	Jim Saunders [lakes] (x3572) Blake Beyea [streams] (x3656) ( <i>co-chairs</i> ) Mary Fabisiak (303-430-2400 x2187) <b>Jeff Bedingfield</b>	November 18, 2008 1:30 p.m. CDPHE Sabin Room  (combined with aquatic life)	At the August meeting, the Division presented ideas for a Direct Use Water Supply sub-classification and chlorophyll thresholds for lakes. A status report was provided on progress toward rule-making hearings for three lakes with control regulations based on site-specific nutrient criteria. For streams, field work is underway to compare macrobenthos sampling techniques in support of expanding the data base to include work by other parties.
3. Aquatic Life Classification	Chris Theel (x3558) Blair Corning (720-206-0463) <b>Andrew Todd</b>	November 18, 2008 1:30 p.m. CDPHE Sabin Room  (combined with nutrient criteria)	Continuing efforts to add an OE-RIVPACS type fish model as another bioassessment tool; continuing efforts to recalibrate macroinvertebrate OE-RIVPACS type model and multimetric index bioassessment tools; continuing efforts to refine current aquatic life use classifications and/or subcategories; and continuing efforts to request biological/chemical data from different stream types to assist in biocriteria development.
4. Membrane Treatment work group (formerly RO Roundtable)	Dave Akers (x3591) Laurie Rink (303-777-0188) ( <i>co-chairs</i> ) <b>Robert Sakata</b>	Quarterly meetings, generally 1st Tuesday of the month each quarter; 9:00 to 11:30; Thornton WTP.  Next: October 7, 2008 Location Thornton WTP	Work group collaborative report is complete and <b>was</b> presented to the WQCC in January 2008. The Pilot Project subgroup continues to work on the scoping and funding of a zero liquid discharge technology demonstration project for statewide scale up applicability. The project intends to provide information regarding technology performance, reliability and energy consumption.

5. Practical Quantitation Limits Guidance	Dave Akers (x3591) Sharon Davis (303-286-3360) <b>Andrew Todd</b>	Full Group Meeting TBD  Technical Subcomm. September 3, 2008 8:30 a.m. CDPHE Lab	Guidance for organic chemicals finalized. Subcommittee now developing a survey of laboratories to gather data on detection levels/methods for inorganic parameters and metals to support development of PQLs for those parameters in the next several months.
6. Discharge Permit Regulations	Janet Kieler (x3599) Carol Webb (970-221-6231) <b>Chris Wiant</b>	September 11, 2008 1:00 p.m. Metro Wastewater	Regulation #61 revisions were adopted as the result of a March 2008 rulemaking hearing. The work group is now addressing additional issues, for consideration in a February 2009 rulemaking hearing. This fall the work group will transition to a Discharge Permit Implementation work group, with Christine Johnston taking over as coordinator.
7. Agricultural Diversions	Gary Beers (x3524) Landon Gates (303-749-7516) <b>Gary Teague</b>	March ____, 2009 1:00 p.m. Colorado Farm Bureau Office	The WQCD policy ( <i>Implementing Narrative Standards in Discharge Permits for the Protection of Irrigated Crops, WQP-24</i> ) was issued on March 10, 2008. The WQCD will report on implementation into permits at a work group meeting to be scheduled in March 2009. Note: At the December 16 meeting of the Standards Framework Workgroup (see 1. above), the topic will be agricultural classification and standards issues.
8. E. coli Issues	Jim McCarthy (720-898-7765) Becky Dunavant (303-298-1311) <b>Chris Wiant</b>	October 2008	Refined the work plan to focus on working through the TMDL process with subsequent work focusing on Permit implementation challenges. Will be hearing of a BMP effectiveness study and working to complete the survey of the 19 segments listed for E. coli, with the goal of finding some commonality and opportunities to develop templates for similar segments.
9. Site Application Regulations (Regulation #22)	Dave Akers (x3591) Larry Mugler (303-480-6766)	September 4, 2008 1:30 p.m. CDPHE	Discussion of potential revisions to the Site Application Regulations (Regulation #22), for consideration in a July 2009 rulemaking hearing.
10. 2010 Section 303(d) Listing Methodology	Aimee Konowal (x3530) Amy Woodis (303-286-3240)	September 10, 2008 9:00 a.m. CDPHE Room C1A	Discussion of potential revisions to the 2009 Section 303(d) Listing Methodology, to develop proposed Listing Methodology to be used for the 2010 listing cycle.