

put on Hickenlooper last year by Monument Sanitation District and Fountain Sanitation District as they led the Colorado Rural Communities Coalition’s lobbying effort in the Legislature in coordination with then-state Rep. Marsha Looper and then-state Sen. Keith King. The districts also lobbied Hickenlooper directly after making phone calls directly to Hickenlooper on KOA’s Mike Rosen radio show.

The purpose of the new nutrient regulations is to limit nitrogen and phosphorus, which may cause negative ecological impacts to water bodies by stimulating harmful algal blooms. The new effluent limits for existing facilities rated at over 2 MGD in Control Regulation 85 are 15 milligrams per liter (mg/L) for nitrogen and 1 mg/L for phosphorus. These limits will not apply to the Tri-Lakes facility until its current discharge permit expires in 2016.

The grant funds would assist the 46 large state facilities with planning, engineering, design, and construction costs. The wording in HB-13-1191 also places an emphasis on providing assistance to applicants most financially burdened by the improvements or adaptations necessary to achieve compliance with what would otherwise be

an unfunded mandate by the state. Hickenlooper’s own Executive Order 5 prohibits the state government from imposing unfunded mandates on local governments like wastewater special districts.

Commission grant hearing on May 13

In anticipation of passage of HB-13-1191, the state Water Quality Control Commission (WQCC) will hold a rule-making hearing at 2 p.m. on May 13 to amend existing Regulation 55 to consider adding provisions to establish project prioritization criteria for the award of grants and consider appropriate implementing regulations. There is a great deal of pressure on the Legislature and the WQCD from Hickenlooper to ensure that all this money is awarded, so the award distributions noted above may be modified before or after the hearing on May 13.

Wicklund said that if there are facilities that cannot meet the numerous state grant technical restrictions and regulations or comply with the time limits in the proposed amendment to Regulation 55, the size of some of the awarded grants may be increased, with priority given to some of those projects that will be completed first.

The next steps in the extremely tight timetable for the nutrient management grant program are:

- May 13 – WQCC expected to approve Regulation 55 and scoring criteria
- General Assembly approves HB13-1191
- June 1 – WQCD will issue request for applications
- June 30 – Request for applications closes
- July 1 – WQCD will begin prioritizing projects
- July 12 – Prioritization complete, fundable list compiled
- WQCD will work with applicants on agreements from the end of July through August
- September – Project start

For more information, click on the state “Nutrient Management Grant Stakeholder Program” link at: www.colorado.gov/cs/Satellite/CDPHE-WQ/CBON/1251596793649

Treasurer’s report

Wicklund noted that he had some work done on the district’s pickup truck, including installation of new tires, at the Discount Tire Store at Monument Marketplace at a cost of \$977. The store gave the district a card worth \$100 as a rebate. Wicklund stated that he used the \$100 gift card to pay for district postage stamps.

The district has not received any tap fees so far in 2013. Some new taps might be purchased later this year for residential and commercial construction within the district and new inclusions for lots with failing septic systems. A large tap fee is expected in the future for the new Beacon Lite Assisted Living Facility to be built next to Grace Best Elementary School.

Wicklund also briefed the board on the district’s policy for homeowners who want to build a dump station in their yard for a personal recreational vehicle. No additional tap fee is required for this limited purpose. However, if a homeowner starts allowing other people to use the dump station and charges them for this, the district considers this a separate commercial tap and the homeowner must pay a separate \$4,500 tap fee. Additional fees that would be charged for this illegal use would be \$2,000 for connecting a commercial tap without permission and another \$1,000 for not paying the tap fee within 10 days of connecting.

In other matters, Wicklund noted that DRC Construction would be cleaning district collection lines in April. Some of the district’s old leaky vitreous clay collection lines will be re-lined by Insituform to prevent further tree root infiltration and backups.

The meeting adjourned at 7:54 p.m.

The next meeting will be held at 7 p.m. on May 16 in the district conference room, 130 Second St. Information: 481-4886.

Jim Kendrick can be reached at jimkendrick@ocn.me.

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Academy Water and Sanitation District, April 29

State hearings in June will impact discharge into Smith Creek

By Susan Hindman

A rulemaking hearing June 10 by the state Water Quality Control Commission on Regulation 32 will have an impact on the discharge permit that the Academy Water and Sanitation District is expecting to receive sometime this year as well as on the creek the district discharges into. Details about the complex issues, which impact all treatment facilities whose effluent (treated wastewater) eventually flows into the Arkansas River, were discussed by the district’s engineer Roger Sams at the board meeting on April 29.

Academy discharges its effluent into Smith Creek, whose flow mainly consists of that treated wastewater. Often very little surface water remains when it reaches Monument Creek around Northgate Road. Monument Creek travels south and meets up with Fountain Creek in central Colorado Springs, which flows into the Arkansas River in Pueblo.

Lacking the strong water flow of larger streams, Smith Creek can’t dilute the ammonia and other nutrients that are found in the effluent and that are now subject to stricter regulations.

Regulation 32 has lumped Smith Creek into a group of “stream reaches” of varying lengths that branch off Monument and Fountain Creeks from Monument south to Pueblo. These streams are all defined as Fountain Creek Segment 4—part of the Fountain Creek Basin—and are subject to the same water quality standards.

The Water Quality Control Division is proposing to remove an important existing designation, called “use protected,” along the entire Segment 4. This would make Smith Creek subject instead to review under the “antidegradation regulation,” which has more stringent rules. For example, with a use-protected designation, the allowable amount of ammonia in the effluent would range from 2.3

milligrams per liter to 13 milligrams per liter (on a 30-day basis). Under the antidegradation regulation, that amount would be just 1 milligram per liter.

The district’s 2013 permit also will require removing from Smith Creek the chlorine used to treat the effluent. The most common, inexpensive way to dechlorinate is by using sulfate-based chemical products. However, the sulfate standards in the antidegradation regulation would put the district in violation if it used the sulfate.

While the district can’t meet either numeric standard for ammonia—and is facing options that cost more than \$3 million to implement—the use-protected designation is still preferable to Academy. Most of the major treatment facilities that discharge into the Fountain Creek Basin are protesting the division’s proposed change to antidegradation standards, Sams said, and he suggested that the board join other dischargers in submitting a statement requesting that Segment 4 be allowed to retain its use-protected designation. The board authorized Sams to prepare that statement.

The division is also adding temperature standards that would make the streams in Pueblo subject to the same standards as those in Monument.

Sams suggested that members of the board consider attending the June hearing, possibly even speaking during the public comment time. He expects whatever regulations that are approved to become effective at the end of August.

The Academy Water and Sanitation District board meets at 6 p.m. the third Wednesday of every month at the Wescott fire station, 15415 Gleneagle Drive. The next meeting is May 15.

Susan Hindman can be reached at susanhindman@ocn.me.

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