



April 27, 2006

Senator Greg Brophy
Colorado State Capitol
200 East Colfax, Room 346
Denver, CO 80203

Re: Colorado Wastewater Utility Council Opposition to House Bill 06-1337, Water Quality Improvement Fund Penalties, and Recommendation for Further Consideration

Dear Senator Brophy:

The Colorado Wastewater Utility Council (Council) is an independent, not-for-profit corporation whose purpose is to participate in educational, scientific, and outreach activities that support the needs of its member entities as well as the general public. The mission of the Council is to promote professional and responsible environmental protection by supporting legislation and regulations that achieve well-defined benefits while maintaining local flexibility. Currently, forty-one agencies, municipalities, and special districts throughout the State of Colorado are members of the Council. East slope Council members include the Metro Wastewater Reclamation District, the City of Aurora, the City of Colorado Springs, the City of Pueblo, and Littleton/Englewood, among others. West slope members include the City of Grand Junction and Mesa County. The Colorado Rural Water Association, which represents a large number of smaller wastewater treatment facilities around the state, also is a Council member.

Collectively, the Council membership is concerned that House Bill 06-1337 has received little open discussion with either wastewater treatment agencies or municipal stormwater entities, both of which are likely to be affected by the Bill. Although the Bill would establish a Water Quality Improvement Fund using penalties, in reality, the very entities that the Bill is trying to assist through the Fund are those *most likely* to cause water quality violations as a result of aging infrastructure and/or inadequate population to support large capital improvement projects. It is also important to note that available state Water Pollution Control Revolving Fund monies have seen significant decreases over the last several years, a trend that is expected to continue in the future, further delaying needed improvements by smaller entities.

Because of the complex technical, regulatory, and policy implications of this important issue, the Council believes that a careful and thoughtful resolution cannot be reached between now and the end of the current legislative session. We recommend that specific provisions of the Bill be considered by the Interim Water Committee, when all viewpoints can be thoroughly addressed and discussed.

Yours truly,

Amy L. Woodis
Vice Chair
Colorado Wastewater Utility Council