



 **Colorado Wastewater Utility Council**
Serving Colorado's Water Quality and Treatment Needs

CONFLUENCE

www.cwwuc.org

3rd Quarter - 2008

CAN WE AFFORD IT? CLEAN WATER...THE FUNDING GAP PART III IN A SERIES

In the previous newsletter articles on this topic we showed what EPA believes are reasonable sewage treatment rates and project costs per household. This article goes deeper into the total cost of all the projects needed to comply with regulations and infrastructure replacement - sometimes referred to as 'demand'.

There are several estimates for the nation as a whole. Utilities will spend about \$60 billion per year on infrastructure or \$1,200 billion over the next 20 years; second only to education. Unfortunately, this amount is about \$250 billion to over \$500 billion short of what is needed, not including inflation.

Let's get closer to home in Colorado. The demand is significant here. Looking at projects planned for completion in the current Intended Use Plan for SRF (State Revolving Funds), over \$1.6 billion in projects are anticipated for over 300 projects. These are projects which are *currently in planning* stages to the level of estimating and placing on the project eligibility list for SRF monies and predicted for completion over the next 5 to 7 years. This may seem like an incredible amount, but it is not the entire story. Consider:

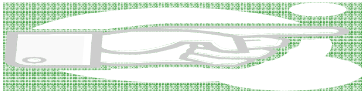
1. Projects needed to comply with the new temperature standards and the upcoming nutrient criteria are not planned and are not on the list.
2. The project list does not extend out to 20 years like the national projection.
3. Not all utilities are seeking SRF financing such as the large projects at the Metro Water Reclamation District in Denver.
4. Many project estimates may not include the recent escalation in construction costs.

All of these factors will only increase the demand for wastewater funding in the future.

At the same time as the number of projects and the amount of treatment needed to meet new regulations are *increasing*, the amount of federal spending on these projects is *decreasing*. In 1978, the federal share of capital spending was 78% of the nation's total, fueled primarily by the grants program. Today, the federal share is approximately 3% found mainly in the SRF loans and some smaller grant programs. Local funding has had to make up the difference.

There are several initiatives underway to address the rising cost of sewage treatment and infrastructure. One is the WIN (Water Infrastructure Now) effort to develop federal funding for infrastructure needs that may expand beyond just infrastructure (www.win-water.org). Another is the possible development of a trust fund for water projects similar to the fund for airports. But remember, trust funds do need financing! There are existing programs that can provide financial assistance to projects, such as the State and Tribal Assistance Grant program and the Clean Water State Revolving Fund (www.cdphe.state.co.us/wq/opa/WPCRF.html). Federal funding for existing programs has been decreasing in recent years although there are ongoing efforts to reverse the trend to provide more funding in the future. In Colorado the Water Quality Improvement Fund has a limited amount of money available for water quality projects.

There is a lot of work going on and several agencies, including the EPA, WEF and NACWA for example, (www.nacwa.org/images/stories/public/2007-11-20nacwafcc.pdf) are working on sustainability/affordability positions and programs to provide guidance in this area. Sustainable and affordable wastewater treatment is the goal and must be achieved.



CWWUC Calendar

Stay Tuned In - Stay Informed

The CWWUC meets the second Wednesday of every month. Most meetings are held at the Littleton/Englewood WWTP, located at 2900 S. Platte River Drive, Englewood, CO. Please visit our website for a map and driving directions.

Save the
Date

July 9

Tour of Plum Creek WWTP

Plum Creek Wastewater Authority is located in Castle Rock. The Authority serves the Town of Castle Rock, Castle Pines North and Castle Pines Metropolitan District. The most recent expansion, completed in 2005, included the addition of oxidation ditches for biological nutrient removal, UV disinfection, tertiary filtration, and ionization odor control. The current capacity is 4.87 MGD, but the plant is being re-rated to 6.44 MGD. PCWA discharges to E. Plum Creek, upstream of Chatfield Reservoir. **Watch emails and the website for further instructions on the tour!**

August 13

Steve Gunderson, Director of the Water Quality Control Division will provide his regular update of Division and Legislative Activities.

Jill Piatt Kemper, Senior Environmental Engineer for the City of Aurora and Chair and founding member of the Colorado Stormwater Council will discuss stormwater permits, negotiations with the state and a little bit of background on the development of the Stormwater Council.

September 10

The September meeting is held as a breakfast meeting each year at the **RMSAWWA/RMWEA Joint Annual Conference**. This year it is being held in Colorado Springs September 14-17. Stay tuned for more information via the website.



Mentoring - Connecting Needs to Knowledge

Building a knowledge and experience base of water and wastewater professionals with areas of expertise in technology, operations, process control, planning, laboratory, regulations, permitting and maintenance.

The Mentoring Program is designed to provide online (Post a Question) and personal (Peer to Peer) mentoring services to water and wastewater utilities in Colorado. Become a Mentor and help others (Mentees) find solutions to problems.

It's free! Visit the Water and Wastewater Mentoring Program: www.cwwuc.org/mentoring or contact Paul Ferraro at 303.904.2177.



Confluence of the South Platte River

Forum Corner

The Colorado Water Quality Forum workgroups provide an opportunity for an ongoing informal dialogue among diverse parties of stakeholders' interests in water quality management. Participants include water suppliers, industrial and municipal dischargers, environmental groups and federal, state and local agencies.

Each quarter **Forum Corner** provides a brief status of some of the active workgroups. It is not meant to be a detailed update. For more information go to <http://www.cwqf.org> and click on Workgroup Links.

Agricultural Diversions – There have been no new updates during the last quarter. Keep checking the website for new postings. The next meeting is scheduled for September 18. See the Forum website for the full document: **Implementing Narrative Standards in Discharge Permits for the Protection of Irrigated Crops**. Gary Beers, Facilitator CDPH&E, 303.692.3524, gary.beers@state.co.us or the coordinator Landon Gates, Colorado Farm Bureau, 303.749.7516, lgates@colofb.com.

Spill Reporting – The workgroup has finalized the Spill Guidance document. It can be found on the Forum website. The group is working on language to be included in permits. A draft of this should be sent out soon. To get an update either go to the Forum website for documents or contact Dave Akers, Facilitator, 303.692.3591 Dave.Akers@state.co.us or the Coordinator Dave Meyers, City of Westminster, 303.430.2400 x2376 dmeyer@ci.westminster.co.us.

Aquatic Life – Note! The next meeting is scheduled for August 11. It will be *combined with the Nutrient workgroup*. Contact the Facilitator, Christopher Theel CDPH&E, for the latest information. Call Chris at 303.692.3558 or email him at Christopher.Theel@state.co.us for updates.

Nutrient Criteria – Note! The next meeting is scheduled for August 11. It will be *combined with the Aquatic Life workgroup*. The Division continues to work on developing nutrient criteria with plans to propose numeric criteria for lakes and reservoirs and rivers and streams to the Water Quality Control Commission in June 2010. If you can't attend the meeting be sure to go to the Forum website and read the 2007 **Progress Report and Update to the Colorado Nutrient Criteria Development Plan**. Co-Chairs are: Rivers and Streams Blake Beyea, Water Quality Control Division 303.692.3656 Blake.Beyea@state.co.us, Lakes and Reservoirs

Lakes and Reservoirs Jim Saunders, Water Quality Control Division, Jim.Saunders@state.co.us Coordinator, Mary Fabisiak, City of Westminster, mfabisiak@ci.westminster.co.us 303.430.2400 ext. 2187

Regulation 61 – This workgroup is winding down. There are still a few unresolved issues being discussed but for the most part the major items have been completed. The next meeting is scheduled for July 10 at the Metro Wastewater District. If interested in knowing more about the changes which may affect you and your permit contact Janet Keiler, the Facilitator, CDPH&E 303.692.3599 Janet.kieler@state.co.us or Carol Webb the Coordinator, City of Fort Collins 970.221.6231 cwebb@fcgov.com.



Membrane Treatment– The next scheduled meeting is July 1 at the Wes Brown Water Treatment Plant. For more information contact either Dave Akers CDPH&E 303.692.3591 dave.akers@state.co.us or Laurie Rink lrink@uos.net .

Standards Framework– The next meeting of this workgroup will be on September 15th at 1:30 in the Sabin Room at CDHP&E. The topics will include: mountain lakes dissolved oxygen criteria, nonylphenol, and variances. The biotic ligand model will be discussed at the following meeting on October 15th at 1:30 in Room C1A at CDPHE. Stay ahead of the issues

and attend these meetings! Paul Frohardt of the Water Quality Control Commission is the Chair; 303.692.3468 paul.frohardt@state.co.us and Amy Woodis of the Metro Wastewater Reclamation District is the Coordinator; 303.286.3240 awoodis@mwrddst.co.us. Contact either of them with questions or possible issues for discussion.

E. Coli—The E. Coli workgroup has been meeting regularly. The last meeting was held in June. New available documents include Colorado **Recommended Approach for Bacteria TMDL Development and Short Term Pathogen Criteria Actions: State Water Quality Standards**. Check them out or contact Becky Anthony, Chair at 303.692.3339 rebecca.anthony@state.co.us or Coordinator James McCarthy at jim-m@arvada.org



A Drop of Information

Legislative Points of Interest

Senate Fails to Approve Climate Change Legislation; Debate Shifts to House

Democratic leaders called for a cloture vote this week to end debate on the climate change bill (S. 3036) before the Senate and to proceed to vote on the final bill and amendments. The cloture motion failed 48-36, effectively ending any consideration of climate change for the rest of the year. Democratic leaders do not expect to bring the bill up again this year.

House and Senate Pass FY09 Budget Resolution

This week, the House and Senate approved an FY09 budget resolution that will cap discretionary spending at \$1.013 trillion, \$21 billion more than President Bush requested. The House approved the measure with a vote of 214-210 on Thursday after the Senate approved the compromise measure 48-45 on Wednesday. This is first time since 2000 that Congress has approved a spending plan in an election year. A number of reserve

funds have been included in the budget for energy and infrastructure spending; however, this funding must be offset if enacted. After the Senate vote, Senate Budget Chairman Kent Conrad (D-ND) said, "We have passed a fiscally responsible budget today....This plan provides tax relief for the middle class. It makes critical investments in energy, education and infrastructure. And it returns the budget to surplus in 2012 and 2013. Passing this budget represents a major accomplishment."

WEF Files Brief in California Biosolids Litigation

On June 2, WEF filed an amicus curiae (friend of the court) brief in the Kern County, California biosolids litigation that has attracted national attention (*City of Los Angeles et al v. Kern County*, 509 F. Supp. 2d 865 (C.D. Cal. 2007)). The brief was filed with the U.S. Court of Appeals for the Ninth Circuit and supports the position of three southern California public agencies that operate land application programs in Kern County and that are asking the Appeals Court to maintain a district court Judge's ruling that allows these programs to continue. The outcome of the Kern County case has the potential to have a significant impact on biosolids programs in every state, not just the Ninth Circuit, because this will be the first appellate decision on whether biosolids bans are legal under the federal Constitution.

Farm Bill

In mid-May, both the House of Representatives and Senate approved the conference report (H.R. 2419, The Food, Conservation, and Energy Act of 2008) to the \$307 farm bill that authorizes dozens of agricultural, nutrition, energy, rural development, trade, and research programs for 5 years. The President vetoed the bill on May 21 because of his opposition to the continuation of huge subsidies in the form of commodity price supports. The House overrode the President's veto and the Senate is expected to follow shortly.

House bill 2452

The House Water Resources and Environment Subcommittee approved H.R. 2452. The bill would require sewage treatment plants to monitor for and report hazardous sewage releases to the public within 24 hours. The bill is still at the

beginning of the legislative process. Introduced bills go first to committees that deliberate, investigate, and revise them before they go to general debate. This legislation, the "Raw Sewage Overflow Community Right To Know Act," was introduced on May 25, 2007. It was considered by the full Transportation and Infrastructure Committee on May 15, 2008 and passed. There are 55 co-sponsors. The companion legislation in the Senate is S. 2080, introduced on September 20, 2007 by Senator Lautenberg of New Jersey with three co-sponsors. The Senate bill has not yet been considered in Committee.



What's Going on Elsewhere

People often wonder what other organizations with similar focus are doing. We've put together a few notable conferences you may want to attend.

2008 RMSAWWA/RMWEA

Joint Annual Conference
Colorado Springs, Colorado
September 14-17, 2008

The CWWUC holds the annual meeting during a breakfast at this conference. During this annual meeting new officers are elected. The conference itself is a great time for water and wastewater folks to network and share issues. Watch the website www.rmwea.org for more information.

WESTCAS Fall Conference

October 29-31, 2008
Loews Denver Hotel
4150 East Mississippi Ave.
Denver, Colorado 80246

Westcas or Western Coalition of Arid States is a grassroots organization. It is dedicated to encouraging the development of water programs and regulations which assure adequate supplies of high quality water for those living in the arid regions while protecting the environment. WESTCAS has current members in the following states: Arizona, California, Colorado, Idaho, New Mexico, Nevada, Oregon, and Texas.

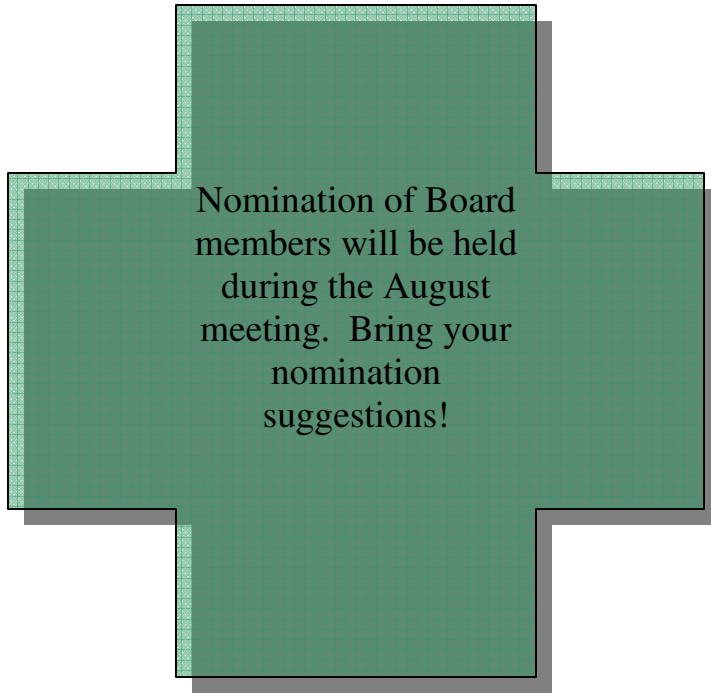
This fall conference will be held in Denver. It's worth attending to find out more about other utilities dealing with the arid weather issues. Watch the website for updated information and legislative actions. www.westcas.org

The 19th Annual South Platte Forum

October 22-23, 2008—Radisson Conference Center
Longmont, Colo.



News, Weather and Water is the topic of this year's two day seminar. Again, watch the website for updates and draft agenda. This seminar is geared for agencies located along the South Platte River. <http://www.southplatteforum.org/>



Nomination of Board members will be held during the August meeting. Bring your nomination suggestions!

CWWUC Annual Permitting Workshop

The Council wrapped up the annual permitting workshop on May 19 in Glenwood Springs. Unit Manager of the Colorado Department of Public Health and Environment, Andrew Ross provided the permitting perspective. They discussed the role of the District Engineer and assistance available throughout the course of CDPS activities. They also gave an overview of the permit application and rationale along with an account of compliance and enforcement programs. Jennifer Richards of CH2M Hill provided an update of important permit-related issues from the consultant's point-of-view. Topics included issues such as TMDLs, watersheds, and pollutant trading. Some key lessons from Paul Grundemann (Centennial Wastewater) and Dennis Stowe's (Littleton/Englewood WWTP) presentations included:

- ✓ Be involved in the permitting process from beginning to end
- ✓ Collecting site-specific data can help you get the most appropriate limits
- ✓ Read and know your permit
- ✓ The discharge permit is a legally binding document

Confluence Newsletter Editors

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