

MINUTES
ENVIRONMENTAL POLICY ADVISORY COMMITTEE
AUGUST 7, 2014

A meeting of the Environmental Policy Advisory Committee (EPAC) was convened on Thursday, August 7, 2014, at 5:15 p.m., in the Pueblo County Department of Planning and Development Conference Room, 229 West 12th Street. Chair Kester called the meeting to order at 5:15 p.m.

ROLL CALL

Those members present were:

Susan Finzel-Aldred
Betty Alt
Doris Kester
Lois Illick

Ted Lopez
Gene Michael
Chad Wolgram

Members absent were: None.

Guests present: Nick Garcia and Seth Deuel with Conservation Colorado.

Staff present was: Sandra M. Smith, EPAC Recording Secretary.

APPROVAL OF MINUTES FROM THE JUNE 5, 2014 MEETING

Mr. Michael stated he had some corrections and minor wording changes to the minutes.

Page 3, Line 20, Word 15: change "bio-cumulative" to "bioaccumulative".
Page 4, Line 20, Word 3: change "No" to "The".
Page 4, Line 32, Word 12: change "antidote" to "habitat".
Page 5, Line 21 Word 14: change "corruptness" to "correctness".
Page 5, Line 47, Word 16: change "leftover" to "whole effluent".
Page 6, Line 20, Words 4-9: change "stated no rule could be enacted" to "set standards".
Page 6, Line 23, Word 9: change "liability" to "ability".
Page 6, Line 27, Word 8 and 9: change "that way" to "using whole effluent toxicity".
Page 6 Line 48, Words 12 and 13: change "in validating" to "invalidating".

Ms. Alt moved to approve the minutes of the June 5, 2014 meeting with corrections. Ms. Illick seconded the motion. The motion carried unanimously.

(Note: Mr. Lopez arrived to the meeting at 5:20 p.m.)

CHAIR'S REPORT – DORIS KESTER

Chair Kester reported the scheduled guest speaker, Ms. Ami Nawrocki, was not in attendance. She had hoped to have a report on the trash situation in Pueblo. She noted that Mr. Lopez may be able to address some issues in his Solid Waste Committee report.

She introduced two young gentlemen that she met yesterday and invited them to speak at this evening's meeting, Messrs. Spencer Deuel and Nick Garcia, who were from Conservation Colorado.

Mr. Deuel stated that Conservation Colorado had just moved into the old Chieftain building, Pueblo Press, on D Street and Union Avenue. He stated it was his third day in the office and only a week since he arrived in Pueblo. He stated the Pueblo community has been very welcoming. He stated their mission was to go throughout the community and inform people about renewable green energy and air pollution clean-up. They are currently trying to gather like-minded individuals to help spread the word and become united as a whole for Pueblo. They are looking into the high school program for community service to increase the knowledge of the younger generation. Ms. Illick asked if they were looking more at air pollution related to renewable energy. Mr. Deuel replied they were looking at air pollution as well as promoting renewable energy like solar panels and wind farms. They want to make sure they have a good collective of people that are determined and inspired by these issues to help spread the word of Conservation Colorado and its mission. He stated they were having an open house next Thursday (August 14, 2014) from 12:00 p.m. to 2:00 p.m., and welcomed EPAC members to attend as well as let others know about it. He stated there are a few representatives from Washington, DC that will be attending at that time. Ms. Illick asked if Conservation Colorado was a branch of several offices around the State. Mr. Deuel replied yes. He stated the organization has a branch in Colorado Springs and Lakewood for Jefferson County. He stated they were working in conjunction with them to coordinate events. So far they have the acquired a booth for the Colorado State Fair. He stated if volunteers are willing to give six hours of their time to help with the booth, they will consider getting a pass for entrance to the State Fair. Ms. Finzel-Aldred asked if Conservation Colorado was part of a national organization. Mr. Deuel replied it was part of The League of Conservation Voters (LCV). They are linked with other states that are also organizing the same campaign. Mr. Lopez asked if LCV was providing the funding. Mr. Deuel replied yes. Mr. Lopez asked if their overall intent was education. Mr. Deuel replied yes. Mr. Lopez asked if he was here on a grant for a specific period of time. Mr. Deuel replied that he thought it was through LCV. He stated he was in another state when he accepted the opportunity to come to Pueblo, Colorado, for the campaign and will be campaigning up to the election in November. He stated he wants to leave a positive imprint when he goes back to school. He stated that Pueblo has made a great impression on him and he would most likely be back. Mr. Nick Garcia stated he was from Texas, but he was not going back to Texas. He stated he was going to stay in Pueblo. Mr. Lopez questioned if they had any local partners involved. Mr. Deuel replied they were reaching out to Pueblo Community College, and were planning on going to Colorado State University-Pueblo to see about an internship program. He stated while they were in Pueblo, their main focus was the Colorado State Fair. Ms. Finzel-Aldred stated she would be able to provide them with several contacts like Colorado Renewable Energy Society and the local Sierra Club as well as the air quality specialist, Jeff Maras, at the Pueblo City-County Health Department. Mr. Lopez questioned what other methods they would be using besides the Colorado State Fair. Mr. Deuel replied their intent was to canvas the community passing out flyers and face-to-face communication. He stated he just heard about the Pueblo Chile and Frijoles Festival in mid-September and would be trying to acquire a booth at that event.

Mr. Nick Garcia stated he arrived in Pueblo about two months ago. He previously worked doing petitioning. He stated he was from Texas and really liked Pueblo and doesn't think he's leaving. He stated he cares about the environment and will be doing the same things that Mr. Deuel spoke about. Mr. Lopez questioned what he did in college. Mr. Garcia replied he was 19 years old and had not yet attended college. Mr. Deuel stated he attended college. Ms. Alt questioned what college he went to. Mr. Deuel replied the University of Oregon. He stated that he would probably finish school in computer design, but environmental issues were very important to him,

which was why he joined Conservation Colorado. He stated prior to arriving in Colorado he was in Portland, Oregon. He noted that the Portland community was very pro-recycling and supported renewable energy. He stated he was amazed that although two-thirds of Colorado runs on coal energy, it still has lower carbon emissions levels allowed than Oregon, which has bigger industry and manufacturing sectors. He stated he wanted to learn why there was such a difference so he could perhaps help the state of Oregon.

Messrs. Deuel and Garcia thanked the Committee for allowing them to attend this evening's meeting.

(Note: Mr. Wolgram arrived to the meeting at 5:38 p.m.)

ENVIRONMENTAL COORDINATOR (EC) REPORT – SUSAN FINZEL-ALDRED

Ms. Finzel-Aldred stated the big event in June was the Blende and Salt Creek clean-up; however, there was a drop in attendance. She stated she had some different ideas for next year and was talking with the Board of County Commissioners about possibly asking for additional funds to include residents on the St. Charles Mesa. She stated out of the 27 people that came to the Blende clean-up, nine were from the St. Charles Mesa. She hosted a meeting on the new Paint Stewardship Bill that passed through the Colorado legislature. She stated that leaders of the meeting were the director of PaintCare from Washington, D.C., who attended as well as the Colorado Product Stewardship Council's chairperson. Meetings were set up around the State in Fort Collins, Denver, Boulder, Durango, Alamosa, and Pueblo to inform people about the Paint Stewardship Bill and how it affects paint manufacturers and paint recyclers. She felt it was going to be a very good program, but Pueblo needed to get the local paint recycler certified under the PaintCare program. She stated the Bill legislation passed will add 10¢ to the price of all new gallon cans of paint sold at retailers beginning in 2015. The money collected will go into the Paint Stewardship Bill fund and will be managed by PaintCare, a 501(c)3 non-profit, established by American Coatings Association. It is supposed to help municipalities, local government, and counties to recoup the money that is spent on having paint recycling programs or events. The paint recyclers will have some reimbursement coming to them making it more palatable. She stated that the Environmental Coordinator pays the local paint recycler for the spring Pueblo collection event. As a contractor, the paint recycler would come to the events and be reimbursed by the State fund, but first must become certified under the PaintCare program. She stated the new paint legislation was the latest item being addressed by the Product Stewardship Council. Last year, the Colorado legislature passed the Electronic Recycling Jobs Act and banned electronic waste from the landfills. The Colorado Product Stewardship Council is discussing different items that are the most troublesome and have the most return and developing bans or particular laws about them. Plastic bag use has been regulated in several different communities around the country, including bans. Vermont was the first state to have an overall ban on landfilling batteries. All batteries must be recycled from the hearing-aid size to car batteries because of the environmental need. She stated the next item that Colorado may legislate may be mattresses. She stated mattress disposal was a nationwide problem. This legislation may be more difficult to attain because all players need to be on board, i.e., production, the lumber industry, fiber industry, and mattress brokers. She noted that Colorado was now the fifth state that has paint legislation. Ms. Alt questioned how it was enforced, noting that trash haulers may not know if residents put electronic waste in the trash bin. Ms. Finzel-Aldred replied the haulers have due diligence to find banned items at their landfill and transfer stations. They see a lot of things as waste is dumped out. They can pick

them out and remove things like tires, TVs and other electronics. There are, however, some items that fall through the cracks. She stated there are employee safety measures that must be followed when handling waste.

Ms. Finzel-Aldred reported that her work in July included updating her Environmental Coordinator webpage to be more user-friendly. Municipal Court kids packed and shipped the last of the alkaline batteries for recycling about 1,000 pounds that came from the May 10th event. She did two classes at the Arts Center with over 60 participants. There was a new insert in the Pueblo Chieftain this month in lieu of the "Going Green" booklet now titled "Community Manners--Health and Wellness". They hope to publish this four times a year. She placed a stormwater pollution prevention ad in the pull-out. She stated a lot of solid waste assistance program dumpsters were awarded in July in an effort to assist a lot of families that were not able to afford the high dumpster cost. The interior and exterior of their houses needed cleaning.

Ms. Finzel-Aldred spoke about the Fountain Creek Watershed "Creek Week". She stated it was a large effort. She reported they had the first organizing meeting of the Fountain Creek Watershed District and their community advisory group. A large public awareness event from September 27th through October 5th called "Creek Week" is taking place. She stated she and Ms. Illick were recruited to organize the event for the Pueblo Corridor. She distributed an informational flyer. There are about 30 people on the planning team. It's a nine-day watershed-wide litter patrol. Volunteers will sign up and choose a section of the watershed to clean-up litter and trash. She stated they won't be able to do the entire watershed from the County line to the confluence. An asset in our area is the bike trail along the Fountain Creek that will allow easy access to certain areas. The clean-up will include storm drain outages, outlets, and parks that are in the watershed. Groups are being recruited from preschools, elementary schools, Boys' and Girls' Club, Scouts, and Future Farmers of America (FFA). They already have the Military Veterans' Affairs, CSU-Pueblo, League of United Latin American Citizens (LULAC), and her Girl Scout troop. A group is considered four or more people. Bags and gloves will be provided and a waiver needs to be signed. She stated there will be a big push on Saturday, October 4th. Groups can go out anytime during those nine days, but on October 4th she will have roll-offs at three different stations along the Creek corridor at Haaff Elementary School, El Centro del Quinto Sol, and Runyon Lake. There will be Storm Water, City Park, and County Public Works personnel and trucks to do pick up and collection of the trash into the dumpsters and the same for tires. She stated she was able to pay for the roll-offs from her program budget. Ms. Illick stated that the Creek Week leader mentioned that Pueblo was further ahead in getting donations and doing well. Ms. Finzel-Aldred stated groups are organizing in Palmer Lake and Monument. There is an activist from Manitou Springs that is going to get groups to clean up the creek corridor through Manitou Springs. She noted there was so much private land in the watershed that they were not going to get specific areas, but they will raise awareness. She stated that she hopes this event will turn into an annual event. Ms. Illick stated this was very good education for our kids, noting not all of them understand that the Fountain Creek feeds into the Arkansas River. Ms. Finzel-Aldred stated they are pursuing sponsorship moneys and groups to get excited about it. She is applying for a grant from the Southern Colorado Community Foundation. They have some grant money from CH2M Hill. She stated donations of \$100 can help buy gloves and fluorescent T-shirts that say "Creek Week" and "Creek Crew". El Pomar Foundation is being approached to donate a \$1,000. In addition to just buying gloves and bags, there is going to be some newspaper awareness a couple of weeks before the event. After the event, "Thank You" notices will be printed in The Gazette, The Independent, and The Pueblo Chieftain. Ms. Illick stated they were also asking some of the television crews to cover

the event. Ms. Finzel-Aldred stated KOAA-TV was working on a commercial. She stated that all of the groups that want to sign up have to go to the Fountain Creek Watershed District's Website and click on "Creek Week". She stated the enrollment was being handled by a member of the steering committee, starting September 1st. Mr. Wolgram suggested contacting Pueblo Posada to do some education at the homeless camps to see if they can clean up their camp area. Ms. Finzel-Aldred replied she had them on her list. Ms. Illick stated about seventy-six 4-H kids would be getting involved. Mr. Michael asked if groups would be working both sides of the Creek. Ms. Finzel-Aldred replied no, there would be a map with Eastside trail sections, access points, trash drop points, and locations of the nearest restroom and water. Mr. Wolgram suggested contacting the City Police Department to see if they could run off some of the drug users from the 8th Street and 4th Street bridges before kids were sent to the area. Ms. Illick stated there were strict guidelines on how old the kids need to be to participate and who will be chaperoning them. The younger age groups will be assigned the parks. Ms. Finzel-Aldred stated a member of the steering committee was responsible for the safety protocol. She noted that Bradford Park, on the Lower Eastside, was far away from the Creek but it was in the watershed. El Centro del Quinto Sol Park and Plaza Verde Park were other parks in the watershed. She stated that the park clean-ups affect the runoff that goes in the watershed. Ms. Illick hopes this becomes an annual event and they'll do it again next year.

Ms. Finzel-Aldred questioned Chair Kester if she would be attending the upcoming Pueblo Area Council of Governments (PACOG) meeting. She asked if there was a September meeting. She wanted to be able to share information about "Creek Week" with PACOG because it does affect PACOG and its constituents. Ms. Smith replied the PACOG meeting date for September was the 25th with the packet submittal deadline of September 17th. Ms. Finzel-Aldred questioned what the August meeting date was. Ms. Smith replied the meeting date was August 28th with a packet mailing deadline of August 20th.

WATER QUALITY SUBCOMMITTEE – GENE MICHAEL

Mr. Michael distributed an executive summary of a report on water quality standards for nutrients. He stated Brown and Caldwell was a national engineering consulting firm. They do a lot of work in water and wastewater industries. They were commissioned to review the current water quality regulations that the EPA was developing. He stated the EPA started their water quality work by developing standards and procedures for the toxic materials; however, nutrients are about as far from toxics as it is possible to get. Nutrients are things that all living things need and need in quantity, not just a little bit, but a lot. The EPA is applying their water quality standards for toxics to nutrients and it's causing some problems. It is not a real good fit, but like everything else involved in national regulations, it is highly political and; therefore, whatever happens it's going to be a knock down drag out battle between constituencies. He stated it was a 100 page report and all he has provided to the members was the Table of Contents, the executive summary, and the table of Summary of Results of Review of TSD Permitting Components. He stated the table goes through various aspects of the national water quality program and analyzes them piece-by-piece as to how well they fit into nutrient regulations. It also makes some recommendations on how those things need to be fixed. Most of them are either appropriate or they are appropriate with modifications. The modifications could be relatively simple, but then again you think it would be relatively simple to pass a national budget, but it hasn't proved to be so. There are a few elements that they just don't think would fit with nutrients. He stated if anyone would like to get a copy of the full report, he would download it

and send it in an E-mail. Mr. Lopez questioned if it was part of the report that was received in a previous E-mail. Mr. Michael replied no, it was new.

SOLID WASTE SUBCOMMITTEE – T. LOPEZ

Mr. Lopez questioned Ms. Finzel-Aldred of the outcome of the Recycling Conference. Ms. Finzel-Aldred replied it went very well, noting the attendance was a little bit low. The first opening day there was a tornado that touched down in El Paso County so a lot of the attendees were not able to show up on Sunday. They did eventually show up on Monday and there were some great sessions about re-use and the university programs. She stated a controversial keynote speaker from the East Coast talked about incinerating waste and how to pull out embedded energy. It raised a lot of eyebrows. She stated there were two huge plants doing this and creating a lot of BTUs. They are burning everything. They are especially trying to source plastics because of their high BTU content. The plastic recyclers were not pleased about that, noting it made for really good conversation and debate. She felt more research and awareness was needed. She stated they liked coming to Southern Colorado, noting the Colorado Springs and Pueblo conferences have received very high marks. They will be going to Vail, Colorado next year. She stated there are some really embedded infrastructure challenges down here. There are a lot of recycling programs that are working on the Northern Front Range. Mr. Lopez stated the July report referenced attendance at the July 28, 2014 Pueblo City Council work session, and that the Environmental Coordinator program was mentioned as a budget allocation, but not as having direct illegal dumping clean-up responsibilities in the program mission. He stated he thought there was outrageous advertising by the waste haulers. Now there is controversy with certain Pueblo City Council members being influenced by a County official. There was some kind of anecdotal article in a newspaper stating there should be money for better and larger code enforcement, especially with the alleys. He questioned Ms. Finzel-Aldred if she attended the work session. Ms. Finzel-Aldred replied that she and Mr. Wolgram attended the work session because they were asked to account for exactly every dollar of the Environmental Coordinator program and where it went. Mr. Lopez asked if it was for a particular year or a particular period of time. Ms. Finzel-Aldred replied it was for 2013. She stated City Council directed City staff to do a large scale presentation with some exact numbers of how much was spent on illegal dumping mitigation. The EC was included in that even though the EC doesn't have a direct mission, but spends a lot of dollars on illegal dumping. The only illegal dumping she deals with is when they send out volunteers and Municipal Court kids out to open prairies or alleys during a clean-up day on a Saturday. Since they are already doing the clean-up and she knows there's a couch in a certain area, she will send the clean-up crew to get it. She counts that as her illegal dumping. She has assisted Code Enforcement and Municipal Court to clean-up big illegal dumping when their budget was short and has given them one dumpster and paid for the hauling. She stated her illegal dumping clean-ups were a small percent in comparison to her overall program. She stated Mr. Earl Wilkinson, the Director of City Public Works, made a point to say that the EC budget should not be included in the whole study of illegal dumping. The report focused on streets, Municipal Court Code Enforcement, and Parks Department. It outlined how many man-hours, vehicles, disposal fees, and the landfill user fees that the City is paying to the landfill, which then comes back and ends up a wash. She stated there was a question months ago challenging the figure of \$750,000 being spent out of the City budget to handle illegal dumping. In her opinion, it was a broadbased term. She stated staff presented their report and the actual dollars spent was \$790,000. Mr. Illick questioned if she was part of that amount. Ms. Finzel-Aldred replied no; her budget of \$75,000 was excluded. Mr. Lopez questioned if it was reported how the landfill user

fee was generated. Mr. Wolgram and Ms. Finzel-Aldred replied no. Ms. Finzel-Aldred stated that Ms. Deb Morton, the City Finance Director, was asked to step forward, but she didn't give any figures as to what was currently in the funds or what has come in to date. She felt they wanted a report of how much was actually spent on illegal dumping. Mr. Lopez questioned the user fee because it was used by the City to offset their general fund, which is indirectly directed towards illegal dumping. Broadacre used to charge a \$.25 landfill user fee and accumulated roughly \$200,000. Now that Broadacre has closed, it would be interesting to find out what has been generated in the last ten years with the new operator of the dump. Ms. Finzel-Aldred replied that it has been since 2008. Since that time there has been a lot of shifting of our waste and a portion of Pueblo's waste stream goes out of the County. There are a lot of factors that make the user fee fund shift and go up and down. Mr. Lopez stated the EC budget comes out of the landfill user fee general fund. Whether you get down to a technicality that it's not from the landfill user fee, those funds are generated. The Municipal Court surcharge is going to the general fund, but it is also intended for graffiti removal. He stated it would be interesting to find out what was paid into the City coffers.

Mr. Lopez stated he thought the current City Council had it together, but sad to say in his opinion, they don't. Now it is questionable on how to move forward on managing solid waste or getting to a point where solid waste can be managed here in the City. He questioned if a contract was awarded to the consultants. Ms. Finzel-Aldred replied no. She stated that tomorrow there is a hearing with the City Clerk on the waste haulers petitions to see if the issue is going on the ballot or not. Mr. Michael stated that some petitions were disallowed because there were indications that some of the petition language had been separated from some of the signatures. Ms. Finzel-Aldred stated they collected some more and then they were rejected again. She stated it was just for the \$50,000 that was going to be allocated to hire a private consultant to pull all of the plans together, whether it's going to be mandatory trash or not was premature. Mr. Lopez stated that in May at his Homeowners' Association meeting he wanted to get some input from the homeowners that attended about a single-hauler contract for recycling similar to what the City had proposed. Some of the homeowners suggested putting out a survey to the homeowners. His thought was he would still like to go forward with it, but was concerned with what kind of reaction they would get from the waste haulers. He stated if nothing else, they could ask the hauler that gets awarded the single-hauler waste contract how they would charge for recycling. He stated that it was a little difficult with the HOA because there is not just one manager, noting State Statute requires anyone that gets involved with HOA stuff needs to be licensed as a manager. He stated he was the accountant of the HOA. He stated there were several issues going on in the HOA, but that solid waste was one they would like to move forward on. Like they did with Council on the Stormwater Fee, just do it and move forward. Overall he got good comments from the HOA.

Ms. Alt questioned again where she could recycle her newspapers. Ms. Finzel-Aldred replied there was a new set of chocolate brown dumpsters behind The Pueblo Chieftain, which was a partnership between The Pueblo Chieftain and C&C Disposal. You could also go to C&C Disposal's transfer station off of Exit 104 and they will take all drop-off recyclables for free. Ms. Alt questioned if there was ever going to be bins at different locations again. Ms. Finzel-Aldred replied that in her recycling E-mails about the market, China was not buying as much as they were and they were rejecting U.S. barge loads of paper because of low quality and contamination. She stated the term "The Green Fence" was used to describe the supply and demand and world economy. Mr. Lopez questioned if it was just for paper. Mr. Finzel-Aldred replied that the two bins there were for single-stream items. They were filled every day to

overflowing. She stated she has been there when it has been 90% paper, 90% plastic and cardboard boxes that are not broken down, and there always seems to be a never-ending amount aluminum cans. Mr. Lopez stated that Waste Management's drop-off site near Storm and 4th Street in Colorado Springs had been accepting streams one and two. They have new bins that accept all seven streams. Ms. Kester stated that We Recycle will pick it up at your door for \$11 a month. Ms. Finzel-Aldred stated they would accept all of your items including glass. Chair Kester stated they will take glass but you just have to separate it.

OTHER DISCUSSION

None.

AGENDA FOR OCTOBER 2, 2014 MEETING

The next regularly scheduled EPAC meeting is Thursday, October 2, 2014, at 229 West 12th Street, from 5:15 p.m. to 6:30 p.m.

ADJOURNMENT

There being no further business before EPAC, the meeting was adjourned at 6:23 p.m.

Respectfully submitted,



Sandra M. Smith
EPAC Recording Secretary

SMS