

MINUTES
ENVIRONMENTAL POLICY ADVISORY COMMITTEE
APRIL 2, 2015

A meeting of the Environmental Policy Advisory Committee (EPAC) was convened on Thursday, April 2, 2015, 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 5:25 p.m.

ROLL CALL

Those members present were:

William Alt	Doris Kester
Becky Cortese	Ted Lopez
Susan Finzel-Aldred	Gene Michael
Lois Illick	Chad Wolgram

Members absent: None.

Guests present were: Lois Compton, A-Affordable Disposal and Terry Hart, Pueblo Board of County Commissioners.

Staff present was: Sandra Smith, EPAC Recording Secretary.

APPROVAL OF MINUTES FROM THE FEBRUARY 5, 2015 MEETING

Ms. Illick moved to approve the minutes of the February 5, 2015 meeting as mailed. Mr. Wolgram seconded the motion. The motion carried unanimously.

CHAIR'S REPORT (see below) – DORIS KESTER

Chair Kester stated that Ms. Finzel-Aldred would present her report first due to her needing to leave the meeting early.

ENVIRONMENTAL COORDINATOR (EC) REPORT – SUSAN FINZEL-ALDRED

Ms. Finzel-Aldred distributed her report of activities for the months of February and March 2015 (attached). She summarized grant applications, public education, and the Solid Waste Assistance Program (SWAP). She mentioned that there would be some outdoor recycling bins proposed for Runyon Field. She has started planning for Fountain Creek Watershed District's "Creek Week", which is scheduled for the first week in October 2015. Monthly meetings are being held that include the towns of Monument, Woodland Park, Manitou Springs, Colorado Springs, and Pueblo. At the symposium she attended on March 11, 2015, she learned about the State water plan, the new water-wise program "Live Like You Love It", and how to track the impacts from her educational efforts. She stated the calls to the Recycle Hotline doubled in the month of March with most of the calls inquiring about hazardous waste.

Ms. Finzel-Aldred stated the new Springs Recycle Guides were available and she distributed some to the members. The first event coming up on April 25, 2015 would be the Bessemer Neighborhood clean-up (flyer attached). Saturday, May 9, 2015, is Recyclable Waste Collection Day (flyer attached). She stated this would have been the year for hazardous waste collection, but they didn't have the funding. She stated that the information for the special events was listed on the back of the Spring Recycle Guide. Saturday, May 16, 2015, is the discount day at the Southside Landfill "Spring Clean-up Day" hosted by Waste Connections and the City of Pueblo (flyer attached). This event is strictly for City residents. The final flyer she distributed was for the Eastside Neighborhood clean-up scheduled for May 30, 2015 (attached). She stated the recycling guide was available to download from the Pueblo City-County Health Department's website. Mr. Alt questioned if there were events available for Pueblo County residents. Ms. Finzel-Aldred replied the

Recyclable Waste Collection Day was open to all residents. Commissioner Hart stated that there are neighborhood clean-ups throughout the City and County as well. Mr. Alt mentioned that he counted 25 tires along the Fountain Creek near his residence. Ms. Finzel-Aldred replied that they would make sure to address the issue during the Fountain "Creek Week" event. Mr. Lopez questioned how the increase in recycle hot line calls compared to other years. Ms. Finzel-Aldred replied, without looking at her logs, she averages about 50 calls a month and she has been getting over 80. The majority of the questions had to do with hazardous waste, chemicals, pesticides, and pharmaceuticals. She stated the Drug Enforcement Agency has cut funding for the Prescription Take-Back events so they weren't offered this year.

CHAIR'S REPORT – DORIS KESTER

Chair Kester reported that information about EPAC could be found on the Pueblo County website under Environment. She stated the Solid Waste Plans were available for review.

WATER QUALITY SUBCOMMITTEE – GENE MICHAEL

Mr. Michael reported that Governor Hickenlooper has once again declared Wastewater Worker Appreciation Week. He stated it will be taking place during April 19th through April 25th. He noted the Pueblo Area Council of Governments (PACOG) meeting is on April 23rd and hopes to hear more about the event from that meeting. He stated at the March 26th PACOG meeting there was a presentation by the State health department regarding TMDL (Total Maximum Daily Load) standards. He distributed copies of the State's PowerPoint handout from the meeting (attached). He stated the presentation was generic and theoretical. They didn't share any specifics of developments along the Arkansas River. He stated the next to the last slide with people's names on it has the representative for the Arkansas River, Mr. Matt Alms. He felt the TMDL effort was being driven by the contract between Colorado and Kansas. He stated that some of the water quality issues regarding selenium will be part of the research. He noted that slide 4 had two notations on the bottom. The one on the left says "Control Point Sources through Discharge Permits". He stated the City of Pueblo operates under discharge permits with certain standards. The notation on the right says "Manage Nonpoint Sources through Volunteer Efforts". He felt this translated into, "There is one and only one game in town that controls the City; everybody else does whatever they want, any time they want, and don't worry about it". He stated there were two issues that were a big problem, i.e., nutrients and selenium. Sixty percent of the nutrient loading in the Gulf of Mexico comes from nonpoint sources, specifically agricultural, which is exempted from the Clean Water Act. He questioned how water quality could be improved if 60 percent of the problem was being ignored. He clarified the acronyms on slide 6.

WLA=Waste Load Allocation, which is the part that people with discharge permits get to use; LA=Load Allocation, which is everything they are not going to deal with, i.e., nonpoint, natural, and agricultural sources; MOS=Margin of Safety, which is based by a certain chemical; and TMDL=Total Maximum Daily Load, which represents the maximum loading of a chemical that a river can tolerate without impairing its uses. He stated it was not a concentration but a load. A load is concentration times flow times a conversion factor. He pointed out that a stream standard is exceeded by a factor of 46 times in the Arkansas River. The natural sources are not controllable; therefore, the WLA goes to zero. That means the point-source discharges are going to end up with an effluent limit of zero. He stated this would be burdensome. He stated the presentation provides a theoretical discussion of what goes into a waste load allocation and what it is supposed to accomplish. He noted that the slide on the bottom of page 5 lists three areas that were under development. Ms. Illick was surprised there wasn't a lot of Selenium in Wildhorse Creek. Mr. Michael replied there was. He stated the State has established different criteria for different stream segments based on the uses. Wildhorse Creek may not have aquatic life and the selenium count is associated with sources of aquatic life. Mr. Alt questioned if the State was aware the levee renovations would affect Wildhorse Creek, noting they would be moving a lot of dirt in the area. Mr. Michael replied he didn't know. Commissioner Hart stated he was also in attendance at the PACOG meeting and heard the State's presentation. He questioned the statements presented regarding the calculations for the tributaries and how they affect the main stem. Mr. Michael replied he understood his question, but that he was not sure what the State meant. Commissioner Hart stated he would like to follow-up with Mr. Matt Alms to let him know

that Pueblo County as a whole was interested in making sure that the State makes the information available to the public so people can decide to get involved in the process prior to the final draft. He stated that it was very difficult to make any language changes once the State has a final draft. He was concerned with implementing an impossible burden on the one point-source permit holder in the area. He wants to work with the one point source holder to find solutions, but at the same time work with the other contributors to the point source to help mitigate their load contributions. Mr. Michael replied that the State's website posts the monthly newsletter, which announces permits up for public comment and was sure the TMDL standards would be posted when completed, which would be the start of the 30-day public comment period. Mr. Alt questioned what agency establishes a baseline on a natural substance like selenium. Mr. Michael replied the Environmental Protection Agency (EPA). They will canvas the scientific literature for all papers that are published on that particular element. He stated the studies are usually done in a laboratory, which is a problem, because laboratory work is very different from stream work. It is very simple in the laboratory; you are trying to control everything except one variable. In the river, everything is in motion all of the time. Somehow, in the river, the fish find ways to live; in the laboratory, they don't. Commissioner Hart stated that although selenium exists naturally, it doesn't necessarily get into the waterways naturally. One of the key sources of getting into the waterways was runoff from development. He felt more attention was needed on the nonpoint contribution level, for example, stormwater. If there is no treatment plan for the stormwater, it goes back into the river. From what he understands, selenium attaches itself to certain types of bio-solids and a certain amount is cleansed through a natural wetlands area, which has been proven to be rather effective. He questioned if the solution would be to have wetlands located in all of the right places. Mr. Michael replied that the wetlands would have to be managed. Mr. Alt stated that selenium can create poisons in plants that can kill livestock. Mr. Michael replied that was one of the concerns the Department of Wildlife had. If a wetland is established to treat selenium, you would create a concentration of the element in the plants, which is then consumed by insects, fish, and migratory birds. Selenium is bio-accumulative and builds up within the food chain. Parks and Wildlife say that wetlands are creating an attractive nuisance. Mr. Alt stated it would be beneficial if detention ponds, like the one used by the north side Wal-Mart, were used by new developments in Colorado Springs. Commissioner Hart replied that detention ponds were going to be required of new development.

Mr. Michael reported that the 2015 Arkansas River Basin Water Forum Program was scheduled for April 22nd through April 23rd at Pueblo Community College (agenda attached).

Mr. Michael reported the Sierra Club Fountain Creek Water Sentinels organization was making an effort to gather volunteers to learn how to protect and enhance the Fountain Creek in Pueblo County. A meeting was scheduled for March 12th at CSU-Pueblo. Mr. Michael stated they were trying to increase awareness to a younger crowd. They initially had 20 plus students express interest and only one person showed up to the meeting who was over 60 years old. He stated that Ms. Lois Illick gave a presentation. He stated the Sierra Club is trying to get people interested and involved in monitoring the Fountain Creek and collect some data. He stated he told the group that Pueblo Wastewater has extensive water quality data. He asked that any data the volunteers collect be made part of the Colorado Data Sharing Network, which is an online database that anyone can access. He invited the Sierra Club to tour the Water Reclamation Facility. He extended that offer to the EPAC members.

SOLID WASTE SUBCOMMITTEE – T. LOPEZ

Mr. Lopez reported that Waste Management has closed their drop-off center off of Fourth Street in Colorado Springs about a month ago. Commissioner Hart questioned if it was closed for all uses. Ms. Finzel-Aldred replied it was closed for free public use. Ms. Cortese replied it was an unmonitored site that was being taken advantage of. Ms. Finzel-Aldred stated that the local C&C Transfer Station offers free drop-off and it's a managed site.

Ms. Cortese reported that Ms. Compton and she brought copies of the City Ordinance relative to trash, noting it doesn't address recycling (attached). She stated that Ms. Compton has wanted to have drop-off

locations in her neighborhood and has not been allowed because of the limitations of the Code. The information she provided showed the current Pueblo City Code language and how it could be changed. She stated that the current language doesn't allow for recycling drop-off locations without being classified as a transfer station. Commissioner Hart questioned what the problems were with the transfer station designation. Ms. Cortese replied that it is overseen by the Colorado Department of Health and Environment (CDPHE). She stated the State has adopted some recycling guidelines within the last few years, noting the City's guidelines were extremely outdated. Mr. Lopez questioned the significance of the language highlighted in yellow. Ms. Compton replied it indicated where additional State Statutes could be inserted from the language text in blue. Ms. Cortese noted the language stated that in order to operate a solid waste disposal site and facility a certificate of designation was required from City Council. Ms. Compton stated that a special use permit was also required to have a transfer station. Commissioner Hart questioned if there were any comments from the State indicating that a certificate of designation would be required regardless of the language change. Ms. Cortese replied she didn't see any reason why they would be against it, which is why they used language the State has already adopted. Ms. Compton stated she has asked the City if they could just adopt the State Statutes. Ms. Cortese stated the City should consider whether it will be a manned or unmanned operation. Ms. Finzel-Aldred was concerned with having an engineered stormwater management plan. Mr. Lopez felt that it would be part of the requirement from local planning and zoning. Ms. Compton stated she couldn't put out a container in her neighborhood to collect recyclables without having to apply for a certificate of designation. Commissioner Hart suggested rewriting the City Ordinance by inserting those sections from the State Statutes and then presenting it for review and comment. Mr. Lopez suggested updating the City's zoning standards to distinguish uses as either uses-by-right or uses-by-review in specific zone districts. Ms. Illick questioned if they were trying to define drop-off, transfer, and processing. Ms. Cortese replied that the State has already defined them separately. Ms. Illick stated that recyclables and trash needs to be clarified, the container size needs to be determined, and whether or not the facility will be monitored. Ms. Cortese replied yes, noting she wasn't sure which issues would fall under the City Ordinance or planning and zoning regulations.

Ms. Finzel-Aldred excused herself from the meeting at 6:39 p.m.

Ms. Compton stated that she has been working with Mr. Jerry Pacheco with City Community Development (planning and zoning) to find a solution.

Ms. Illick questioned the section on composting. Ms. Compton replied if they were going to update the Code why not update it all. Mr. Wolgram stated composting was a bigger issue for the State than a recycling center or drop-off site. Ms. Cortese stated it depended on the class. She stated the backyard types were allowed without a certificate of designation. Commissioner Hart stated the County was engaged in a project to better manage all of the solid waste by separating trash from recyclables. He stated that the County Facilities Department in conjunction with the Pueblo City-County Health Department was making an effort to make the "County Campus" as efficient as possible. Ms. Compton stated that trying to recycle right now would not be a good idea. Commissioner Hart questioned why. Ms. Cortese replied that the cost for single-stream recycling is costing approximately three times as much right now. Single-stream is at an all-time high due to the dock worker strike on the West Coast. Commissioner Hart stated that it had been resolved. Ms. Cortese replied that it has been resolved, but there is so much sitting in storage it was going to take at least another year for the market to come back. Mr. Alt questioned where the recyclables went. Ms. Cortese replied to China. She stated that Waste Management is storing in every facility they have. She stated that Recycle American was charging \$75 a ton to take single-stream recycling, which is more than what it costs to go to the landfill. She stated that C&C Disposal used to take its recyclables to Recycle America, but now it's sitting in storage. She noted that they do not separate single-stream recyclables and may have to start charging to take in recyclables if they run out of storage room. She stated that if it had been the responsibility of a single hauler to manage recyclables, they would have been put out of business. She stated a year ago they were getting rebates for single-stream. Commissioner Hart stated that manufacturing of recyclables needs to be addressed on a national level. Recycling products within the United States would prevent storage backups because it wouldn't have to be shipped overseas. He stated

there were some engineers at CSU-Pueblo looking at different types of technologies that could be used for different types of manufacturing. He stated it would be nice to develop the industry in Pueblo. Ms. Cortese stated that Fort Collins has pay-as-you-throw with single-stream recycling in a free market. The haulers that were picking up the recycling would go to the Larimer County Recycling Center and get rebates for dropping it off. Starting in December, they were getting charged for the drop-offs instead of getting a rebate. Commissioner Hart questioned what impact it had in the Fort Collins area. Ms. Cortese replied she didn't know.

OTHER DISCUSSION

Mr. Alt distributed information about the Noxious Weed Control Program for Pueblo County through the Turkey Creek Conservation District (attached). He stated with financial support from the Pueblo County Commissioners and grant sponsors, Turkey Creek Conservation District will be able to help Pueblo County landowners with their noxious weed problems. He stated the cost was split 50/50. He stated that the landowner's labor was considered half of the cost and Turkey Creek Conservation District would provide the chemicals. The chemicals that are used are environmentally safe, do not harm animals, and are rain free after 30 minutes.

AGENDA FOR JUNE 4, 2015 MEETING

The next regularly scheduled EPAC meeting is Thursday, June 4, 2015, 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 7:03 p.m.

Respectfully submitted,



Sandra M. Smith
EPAC Recording Secretary

SMS