AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Public Hearing; Proposed Amendments to the Gunniso

Action Requested: Motion

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Community Development Department staff and the Environmental Health Board are proposing two revisions to the Gunnison County OWTS Regulations

Fiscal Impact:

Submitted by: Crystal Lambert **Submitter's Email Address:** clambert@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 4/1/2016 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 4/1/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 10

Agenda Date: 4/5/2016

Revised April 2015

Gunnison County Community Development Department

Offices of Planning, Building and Environmental Health
221 N. Wisconsin St., Ste. D
Gunnison, CO 81230
Phone: (970) 641-0360 Fax: (970)641-8585

April 5, 2016

TO: **Board of County Commissioners**
Matthew Birnie, County Manager
David Baumgarten, County Attorney

FROM: **Russell Forrest, Community Development Director**
Crystal Lambert, Building & Environmental Health Official

SUBJECT: **Proposed Amendments to the Gunnison County On-site Wastewater Treatment System (OWTS) Regulations**

Purpose:
Community Development staff and the Environmental Health Board are proposing two revisions to the Gunnison County OWTS Regulations. The first revision is to correct an inflated design flow minimum value so that soil treatment areas can be reasonably sized. The second revision would align Article 19: Crested Butte Watershed OWTS District with the remainder of the OWTS Regulations so that applicants can meet the necessary requirements when proposing systems within the Crested Butte Watershed.

Background:
During the time that The Gunnison County OWTS Regulations have been in effect, since August 2014, staff and the Environmental Health Board have identified two sections of the regulations that could be revised to provide clear, reasonable and cohesive provisions in order for applicants, designers and installers to be able to receive septic permits.

The State of Colorado, Department of Public Health and Environment, Water Quality Control Commission has reviewed the two proposed revisions for stringency equal to or greater than On-site Wastewater Treatment System Regulations, 5 CCR 1002-43 and the On-site Wastewater Treatment System Act, 25-10-101, *et seq*. C.R.S.

Recommendation:
At its meeting of February 17, 2016, the Environmental Health Board unanimously approved to lower the minimum required gallons per day per person value to 75.

At its meeting of October 7, 2015, the Environmental Health Board unanimously approved the proposed revisions to Article 19: Crested Butte Watershed OWTS District of the Gunnison County OWTS Regulations.

Staff recommends approval of both proposed amendments. A memo is attached that speaks to each amendment.
Attachment A. Proposed Revision to Section 5-112: CALCULATION OF SEWAGE FLOW
Attachment B. Proposed Revision to Article 19: Crested Butte Watershed OWTS District
Attachment C: Proposed Resolution Amending the Gunnison County OWTS Regulations

ATTACHMENT A

Gunnison County Community Development Department
Offices of Planning, Building and Environmental Health
221 N. Wisconsin St., Ste. D
Gunnison, CO 81230
Phone: (970) 641-0360 Fax: (970)641-8585

April 5, 2016

TO: **Board of County Commissioners**
Matthew Birnie, County Manager
David Baumgarten, County Attorney
Russ Forrest, Community Development Director

FROM: **Crystal Lambert, Building & Environmental Health Official**

SUBJECT: **Proposed Revision to the Gunnison County OWTS Regulations, Section 5-112: CALCULATION OF SEWAGE FLOW**

A. PURPOSE:

The purpose of this item is to submit a proposed revision to Section 5-112: CALCULATION OF SEWAGE FLOW of the Gunnison County OWTS Regulations. This revision would reduce minimum gallons per day per person (g/d/p) design flow of systems to the State recommended level. The size of soil treatment (field) areas have increased significantly since the adoption of the Gunnison County OWTS Regulations, on August 15, 2014, compared to field areas designed previously using the Gunnison County ISDS Regulations. This has unnecessarily increased site disturbances and cost for the applicant. The proposed revision to Section 5-112 is intended to provide for reasonable and adequate wastewater treatment without requiring the applicant to provide for an oversized field area. On February 17, 2016, the Gunnison County Environmental Health Board voted unanimously in support of the proposed revision.

B. BACKGROUND:

The typical calculation method for determining field area sizes changed with the adoption of the State mandated OWTS Regulations. Previously, under the Gunnison County ISDS Regulations, soil percolation rates were used to determine field area sizing along with a 50% safety factor. Under the new State mandated OWTS Regulations, soil type is identified through a visual and tactile method then a long term acceptance rate is identified from a chart in the OWTS Regulations and the long term acceptance rate is used to calculate the field size.

During the OWTS Regulation adoption process, the State put forth the daily design flow minimum as a choice to be made by the local regulatory agency. The choice given was to either use 75 g/d/p or to use 100 g/d/p. Gunnison County elected to use 100 g/d/p for the minimum design flow of systems. This number was chosen because the 50% safety factor was removed from the calculation for field sizing and also because within the lower percolation rate ranges, field sizes could potentially be smaller than the field sizes required by the previous ISDS Regulations. Using a minimum daily design flow of 100 g/d/p has, in most cases, resulted in larger field area sizes

which is negatively impacting designers, contractors and property owners through the additional costs associated with larger field areas and challenges of site placement of larger systems.

The State OWTS Coordinator who composed the State OWTS Regulations resigned shortly after State adoption of the Regulations and her replacement, who worked with us through our draft process of the current Gunnison County OWTS Regulations was not aware of the intent behind the design flow regulation. Mistakenly, the minimum g/d/p design flow was put forth from the State as a choice for local regulatory agencies. It has recently been clarified that design flow minimums should be 75 g/p/d and 100 g/p/d is to be utilized only where justified, i.e. vacation rentals, dormitory type occupancies.

The chart below compares the field area sizes, in square feet, for a 2 bedroom residence using the previous ISDS Regulations at 75 g/d/p, the current OWTS Regulations at 100 g/d/p, and the OWTS Regulations using the proposed 75 g/d/p. The range of sizes is given for the ISDS Regulations due to the span of percolation results that fall under a soil type.

	Loamy Sand	**Silt Loam**	**Sandy Clay**	**Clay**
ISDS Regs 75g/d/p (previous until August 2014) based on a range of percolation rates	236 to 409 sf	422 to 528 sf	676 to 818 sf	921 to 1002 sf
OWTS Regs 100g/d/p (current)	500 sf	667 sf	1,143 sf	2,000 sf
OWTS Regs 75 g/d/p (proposed and State recommended)	375 sf	500 sf	857 sf	1,500 sf

C. STAFF RECOMMENDATION

A daily design flow of 75 gallons per day per person provides for reasonable and adequate on-site waste water treatment systems without burdening an applicant with excessive and expensive additional treatment area sizing. There may be times when a daily design flow of 100 g/d/p is appropriate for the design of a system and it would be important to apply the additional amount in those cases. Staff is recommending the following changes, which would be verbatim from the State OWTS Regulations, to Section 5-112: CALCULATION OF SEWAGE FLOW, C. SINGLE-FAMILY RESIDENCES AND MOBILE HOMES.

C. SINGLE-FAMILY RESIDENCES AND MOBILE HOMES. To calculate the sewage flow for single-family residences and mobile homes, a figure of two people per bedroom or four people per residence shall be used, whichever is greater. The minimum design flow per person shall be ~~100~~ 75 gallons per day. Where increased wastewater flow is anticipated, on-site wastewater treatment systems shall be sized to accommodate the wastewater flows generated so that the required treatment level of the wastewater is achieved.

ATTACHMENT B

Gunnison County Community Development Department
Offices of Planning, Building and Environmental Health
221 N. Wisconsin St., Ste. D
Gunnison, CO 81230
Phone: (970) 641-0360 Fax: (970)641-8585

April 5, 2016

TO: **Board of County Commissioners**
Matthew Birnie, County Manager
David Baumgarten, County Attorney
Russ Forrest, Community Development Director

FROM: **Crystal Lambert, Building & Environmental Health Official**

SUBJECT: **Proposed Revisions to the Gunnison County OWTS Regulations, Article 19: Crested Butte Watershed OWTS District**

A. PURPOSE:

The purpose of this proposed revision is to align the requirements of Article 19 with the remainder of the Gunnison County OWTS Regulations while maintaining a high level of wastewater treatment with a program of inspection and maintenance to ensure the systems are functioning as designed. Rodney Due, Environmental Health Board member and Public Works Director for the Town of Crested Butte, actively participated in creating the proposed revision to Article 19 of the OWTS Regulations. On October 7, 2015, the Gunnison County Environmental Health Board voted unanimously in support of the proposed revision.

B. BACKGROUND:

The current Crested Butte Watershed OWTS District requirements were written in 1996 and intended to set apart a distinct geographical area where the treatment of wastewater would occur before distribution to the environment. This was a necessary distinction at a time when on-site wastewater regulations were concerned with disposal of wastewater without assurance of treatment. The recently adopted Gunnison County OWTS Regulations focus on the treatment of wastewater and advanced treatment technology has been incorporated into the current treatment system regulations. Unfortunately, designers currently proposing a system within the Crested Butte Watershed District are challenged to show compliance with the design criteria required by both the State mandated OWTS Regulations and the current language of Article 19: Crested Butte Watershed OWTS District because the two are not aligned in regards to system technologies or programs of inspection and maintenance, even though they are aligned in purpose.

C. GUNNISON COUNTY OWTS REGULATIONS-TREATMENT LEVELS FOR SYSTEMS

The State OWTS Regulations and the Gunnison County OWTS Regulations, has five levels of wastewater treatment based on output parameters for Total Suspended Solids (TSS), Total Nitrogen,

and Biochemical Oxygen Demand, Carbonaceous five-day ($CBOD_5$). They are, from lowest to highest level of treatment, 1, 2, 2N, 3, and 3N.

Treatment Level 1 systems are basic systems with a septic tank and field. Depending on the soils and site specific characteristics, a treatment level 1 system may require design by a professional engineer and pressurized distribution to the field by a pump or dosing siphon. The cost range for treatment level 1 systems is highly dependent on the site characteristics and can vary from $7,000 to $30,000. Treatment Level 1 systems do not provide the higher level of treatment intended to be established, at the time of creation, for the Crested Butte Watershed OWTS District.

The remaining treatment levels, 2, 2N, 3 and 3N, all provide increasing levels of wastewater treatment. The State has a testing and verification process that proposed treatment systems must go through in order to be verified for a higher level of treatment and a list of the designated systems is maintained by the State Water Quality Control Division.

The highest level treatment systems, 2N, 3 and 3N, require electricity to operate. For the Irwin and surrounding area, electricity is not always readily available. Even the use of solar panels with battery storage capacity has limitations, reliability concerns, maintenance and expense. Additionally, seasonal usage requires shutdown and startup operations. The more mechanically fancy the system, the more complicated the startup procedures can be if the system is to operate effectively. For example, the Bio-Microbics system (Treatment Level 2N) requires that if the system is started up during cold weather that a temporary heat source be provided until the nitrifying bacteria can be established.

Treatment Level 2 systems provides reduction in $CBOD_5$ from 145mg/L (typical) to 25mg/L and a reduction in TSS from 80mg/L to 30mg/L from a Treatment Level 1 system. There are currently eight systems that are approved for a Treatment Level 2 and three of those system would potentially not require electricity, depending on the site specific characteristics. Five of the systems are proprietary and require purchase from a supplier. Three of the systems are sand bed type systems and can be constructed on-site by a Gunnison County Licensed Septic Installer. The current cost of treatment level 2 systems typically ranges from $15,000 to $45,000.

D. GUNNISON COUNTY OWTS REGULATIONS-INSPECTION AND MAINTENANCE

Article 10 of the Gunnison County OWTS Regulations requires regular maintenance and inspection for all treatment levels greater than TL1. The inspector qualifications include certification by the National Association of Wastewater Technicians in addition to training relevant to the specific system or a certification by the equipment manufacturer. The inspection and maintenance schedule is every six months for a system with mechanical parts and every 12 months for a system with no mechanical parts. Treatment systems have undergone testing to verify that, if the systems are maintained properly, they will achieve the effluent parameters associated with their designated level of treatment. Once a system is installed and operating, the focus should be on regular maintenance and inspection.

E. STAFF RECOMMENDATION

Staff is recommending that the requirements for higher level treatment be incorporated into Article 19: Crested Butte Watershed OWTS District. A minimum requirement that all systems proposed within the Crested Butte Watershed OWTS District be a Treatment Level 2 would be similar to the design

parameter requirements currently found in Article 19. Similarly, a program of inspection, cleaning and maintenance is required of all higher level treatment systems which is similar to the inspection, cleaning and maintenance requirements currently found in Article 19. The renewable permit program described in Article 11 provides a mechanism that staff would utilize to track higher level treatment systems installed throughout unincorporated Gunnison County, including the Crested Butte Watershed OWTS District. These revisions would bring Article 19: Crested Butte Watershed OWTS District into conformance with State OWTS Regulations, the Gunnison County OWTS Regulations and current wastewater treatment technology.

The following draft Article 19: *Crested Butte Watershed OWTS District* details the items recommended by staff.

ARTICLE 19: CRESTED BUTTE WATERSHED OWTS DISTRICT

SECTION 19-101: DESIGNATION OF CRESTED BUTTE WATERSHED ON-SITE WASTEWATER TREATMENT SYSTEM DISTRICT

The Crested Butte Watershed On-site Wastewater Treatment System District ("Crested Butte Watershed OWTS District") is designated, pursuant to Article 12: *OWTS Districts*, to be the geographic area depicted on the Gunnison County "Map of the Crested Butte Watershed On-site Wastewater Treatment System District." That geographic area includes the entire "Town of Crested Butte Watershed Protection District" and the entire former townsite of Irwin. The official Gunnison County Map of The Crested Butte Watershed On-site Wastewater Treatment System District is located in the Community Development Department. A copy of the map may be obtained from the Department.

SECTION 19-102: PURPOSE OF CRESTED BUTTE WATERSHED ON-SITE WASTEWATER TREATMENT SYSTEM DISTRICT

The purpose of the Crested Butte Watershed OWTS District is the identification of a discrete geographic area in which groundwater pollution is to be systematically evaluated and sewage treatment is to be specially regulated by Gunnison County to minimize the threat of or actual pollution of surface, stream or groundwater.

SECTION 19-103: INTERPRETATION WITH OTHER PROVISIONS OF THE GUNNISON COUNTY ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS

Whenever any provision of this Article 19 is inconsistent with any other provision of these *Regulations*, the provision imposing the more restrictive definition, requirement or standard shall apply.

SECTION 19-104: ~~DEFINITIONS~~NEW SYSTEMS AND REPLACEMENT SYSTEMS

~~Whenever the following words or phrases are used in this Article 19 they shall have the following meanings:~~

~~**Conventional On-site Wastewater Treatment System.** On-site wastewater treatment system designed to collect, store, treat, neutralize, stabilize or dispose of sewage by a process that depends on or uses, wholly or partially, the treatment capability of ground soil. Examples include, without limitation, a soil treatment area system, propriety technology system, or sand filter system with septic tank.~~

A. NEW OWT SYSTEMS AND REPLACEMENT OF EXISTING OWTS SYSTEMS WITHIN THE CB WATERSHED. All proposed systems and any replacement of, or addition to, an existing OWT system, including a Soil Treatment Area, within the Crested Butte Watershed OWTS District shall meet the following requirements.

1. **SITE-SPECIFIC DESIGN.** In addition to the requirements of Section 3-105: OWTS PERMIT APPLICATION, proposed designs within the CB Watershed OWTS District shall be a minimum treatment level of TL 2, as identified in Section 5-113: WASTEWATER STRENGTH, or better; and
2. **INSPECTION AND MAINTENANCE REQUIRED.** Maintenance and inspection for systems within the Crested Butte Watershed OWTS District shall be in accordance with Section 10-105: INSPECTION AND MAINTENANCE FOR SYSTEMS THAT HAVE RECEIVED SOIL TREATMENT AREA REDUCTIONS BASED ON USE OF HIGHER TREATMENT.
3. **PERMIT SHALL BE RENEWABLE.** The OWTS permit shall be a renewable permit in accordance with Article 11: RENEWABLE PERMITS.

SECTION 19-105: ~~CONSTRUCTION, INSTALLATION, ENLARGEMENT OR RELOCATIONS OF CONVENTIONAL ON-SITE WASTEWATER TREATMENT SYSTEMS PROHIBITED~~INSPECTION AND MAINTENANCE OF EXISTING SYSTEMS

~~No person shall construct, install, enlarge the capacity of or relocate off of its current lot any conventional OWTS in the Crested Butte Watershed OWTS District.~~

A. INSPECTION AND MAINTENANCE OF EXISTING SYSTEMS. The owner(s) of real property in the Crested Butte Watershed OWTS District on which any OWTS existed as of August 20, 1996, shall cause, at the expense of the owner, such system to be inspected, on at least an annual basis by September 15 of each year. The owner of any such system shall cause to be performed, within 60 days of the inspection, at the owner's cost, all cleaning and maintenance required by the inspector. The owner of any such system shall provide to the Environmental Health Office written proof of compliance with this Section 19-105 no later than October 15 of each year.

1. **QUALIFICATIONS OF THE INSPECTOR AND MAINTENANCE PROVIDER.** Inspectors shall be certified by the National Association of Wastewater Technicians or an equivalent program approved by the Environmental Health Office. Inspectors shall have training relevant to the specific system or certification by the equipment manufacturer.

SECTION 19-106: ~~INSPECTION, CLEANING AND MAINTENANCE OF EXISTING ON-SITE WASTEWATER TREATMENT SYSTEMS.~~GARBAGE DISPOSALS PROHIBITED

The installation and use of garbage disposals is prohibited within the Crested Butte Watershed OWTS District. ~~**A. ANNUAL INSPECTION AND CLEANING.** The owner(s) of real property in the Crested Butte Watershed OWTS District on which any OWTS existed and was permitted as of August 20, 1996, shall cause, at the expense of the owner, such system to be inspected, on at least an annual basis by September 15 of each year by a County licensed system inspector to ensure proper operation of the system in accord with Article 10: *Operation and Maintenance*. Such inspection shall include the fixtures, including but not limited to sink(s), toilet(s), bathtub(s) and shower(s) which are, or may be, connected to the system. The owner of any such system shall cause to be performed, within 60 days of the inspection, at the owner's cost, all cleaning and maintenance required by the inspector. The owner of any such system must provide to the Environmental Health Office written proof of compliance with this Section 19-106 no later than October 15 of each year. Inspections required pursuant to this Section 19-106 shall commence in 1997.~~

~~**B. NON-CONFORMING SYSTEMS TO BE BROUGHT INTO COMPLIANCE.** The owner(s) of real property in the Crested Butte Watershed OWTS District on which any OWTS existed but was not permitted as of August 20, 1996, shall cause, no later than August 20, 1997, such system to come into compliance with these *Regulations*, including but not limited to permitting, or cease and desist from use of such system. Thereafter, the owners shall comply with these *Regulations* including but not limited to inspection, cleaning and maintenance.~~

~~SECTION 19-107: REPAIR OF EXISTING ON-SITE WASTEWATER TREATMENT SYSTEMS~~

~~Repair of a OWTS that existed in the Crested Butte Watershed OWTS District as of August 20, 1996, shall be permitted only pursuant to a Repair Permit issued pursuant to Article 4: *Emergency Use Permits and Repair Permits*; and If all the requirements for OWT systems of these *Regulations* can be met.~~

~~SECTION 19-108: Construction, Installation, Enlargement Or Relocation Of PermiTTED On-site wastewater treatment systems~~

~~**A. NEW, ENLARGED OR RELOCATED OWTS IN CB WATERSHED.** Except as set forth in Section 19-106: Inspection, Cleaning and Maintenance of Existing OWTS and Section 19-107: *Repair of Existing On-site Wastewater Treatment Systems*, any OWTS constructed, installed, enlarged or relocated in the Crested Butte Watershed OWTS District on or after August 20, 1996:~~

~~**1. SITE-SPECIFIC DESIGN.** Shall be a site specific system designed and engineered by a professional engineer licensed in the State of Colorado to meet the requirements of these *Regulations* and to ensure that none of the discharge parameters set forth in Table 19-1: *Discharge Parameters, Crested Butte OWTS District* exceeded at any time. Written design and engineering specification must be provided to Gunnison County for review before an application can be approved. Such engineering also shall include construction, inspection, cleaning and maintenance schedules appropriate to ensure continued proper operation of the system; and~~

2. **TREATMENT BEFORE DISCHARGE.** Shall collect or treat solids, and treat liquids before discharge to the environment, such that there is no discharge from the system to the environment in excess of the discharge parameters set forth in Table 19-1: *Discharge Parameters, Crested Butte OWTS District* ; and

3. **INSTALLATION OVERSEEN BY ENGINEER.** Shall be constructed, installed, enlarged or relocated under the supervision of such engineer at the cost of the applicant. The engineer shall certify in writing to the Community Development Department that such activity was in compliance with the design and engineering specifications. This supervision shall be coordinated with the Environmental Health Office. Such certification shall be a prerequisite to final approval by the County.

4. **MONITORING WELL DOWN-GRADIENT OF SYSTEM.** Shall include a monitoring well down-gradient from the final component of the system. The well shall be of sufficient depth to permit periodic sampling of groundwater. Such monitoring well shall be constructed sufficiently before construction, installation, enlargement or relocation of the system to permit collection of baseline water quality data by the County at the expense of the owner. Collection of the baseline data shall be a prerequisite to final approval by the County.

5. **MONITORING AT POINT OF DISCHARGE.** Any system that discharges to the environment shall include at least one monitoring port per system at the point of discharge from the treatment component to permit monitoring of discharge.

6. **VAULT PRIVY.** Any vault privy constructed, installed, enlarged or relocated in the Crested Butte Watershed OWTS District after August 20, 1995, must meet the requirements of this Section 19-108 as well as all other requirements of these *Regulations*. A vault privy is prohibited in the District unless it is associated with a permitted gray water system serving the same building or structure. Except, a vault privy without an associated system may be approved only pursuant to Section 3-116: *Special Review,* during which the applicant must demonstrate that the building or structure to be served by the vault system does not have plumbing or fixture(s), e.g. sink(s), toilet(s), bathtub(s), or shower(s) which may be connected to a system.

7. **PERMIT SHALL ACKNOWLEDGE LOCATION OF SYSTEM IN DISTRICT.** The OWTS Permit issued to any OWTS constructed, installed, enlarged or relocated in the Crested Butte Watershed OWTS District after August 20, 1996, shall be titled a Crested Butte Watershed OWTS Permit.

Table 19-1 : Discharge Parameters, Crested Butte Watershed OWTS District

e-coli	less than 126 cfu/100ml.
Nitrate (NO_3)	less than 10 mg/1.
BOD_5	less than 30 mg/1.
Phosphate	less than 10 mg/1.
Ph	Range from 6.5 su to 8.5 su

SECTION 19-109: INSPECTION, CLEANING AND MAINTENANCE OF PERMITTED On-site wastewater treatment systems

A. **REGULAR TESTING OF DISCHARGE SAMPLES AT OWNER'S EXPENSE.** The owner(s) of real property in the Crested Butte Watershed OWTS District on which any OWTS is constructed, installed, enlarged or relocated pursuant to 19-108: *Construction, Installation, Enlargement or Relocation of Permitted OWTS* shall cause, at the expense of the owner, a discharge sample from the monitoring well, and from the monitoring port if one exists, to be taken no later than July 15 and again no later than September 15 of each year by a County-approved system inspector. Samples shall be tested at the cost of the owner(s) by a Colorado certified laboratory to ensure that no discharge parameter is being exceeded. If a discharge parameter is being exceeded, a redrawing and retesting may occur if requested by the owner(s). If any of the tests performed indicate that a discharge parameter is being exceeded, the owner(s) shall cause to be performed, at the cost of the owner(s), within 15 days of mailing of written notice by the County, all cleaning, maintenance or repair required by the inspector. Discharge sampling pursuant to this Section shall commence in 1997.

B. **OWNER'S RESPONSIBILITY TO ENSURE ANNUAL INSPECTION.** The owner(s) shall cause, at the expense of the owner(s), such system to be inspected pursuant to its engineering specifications on at least an annual basis by September 15 of each year by a County-approved system inspector to ensure proper operation of the system in accord with Article 10: *Operation and Maintenance*, and Article 19: *Crested Butte Watershed On-site Wastewater Treatment System District* of these *Regulations* and in accord with its engineering specifications. Such inspection shall include the fixtures, including but not limited to sink(s), toilet(s), bathtub(s) and shower(s) which are, or may be, connected to the system. The owner(s) shall cause to be performed, within 15 days of the inspection, at the owner's cost, all cleaning and maintenance required by the inspector. Inspections pursuant to this Section 19-109 shall commence in 1997.

~~**C. WRITTEN PROOF OF TESTING TO BE SUBMITTED TO COUNTY.** The owner(s) must provide to the Environmental Health Office written proof of compliance with this Section 19-109 and all applicable engineering specifications no later than August 15 and again October 15 of each year.~~

~~SECTION 19-110: REPAIR OF PERMITTED ON-SITE WASTEWATER TREATMENT SYSTEMS~~

~~Any OWTS constructed, installed, enlarged or relocated pursuant to Section 19-108: *Construction, Installation, Enlargement or Relocation of Permitted OWTS* may be repaired only pursuant to a Repair Permit issued pursuant to Article 4: *Emergency Use Permits and Repair Permits.*~~

~~SECTION 19-111: GARBAGE DISPOSALS Prohibited~~

~~No OWTS constructed, installed, maintained, altered, repaired, enlarged, relocated or used in the Crested Butte Watershed OWTS District may contain a garbage disposal unit as a component.~~

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 16-___

A RESOLUTION AMENDING THE GUNNISON COUNTY, COLORADO ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS, SPECIFICALLY SECTION 5-112: CALCULATION OF SEWAGE FLOW, C. SINGLE-FAMILY RESIDENCES AND MOBILE HOMES AND ARTICLE 19: CRESTED BUTTE WATERSHED OWTS DISTRICT

WHEREAS, on July 1, 2014 the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") adopted the "Gunnison County On-site Wastewater Treatment System Regulations" through Resolution No: 14-17; and

WHEREAS, Resolution No: 14-17 is recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on July 7, 2014, bearing Reception No: 627610; and

WHEREAS, State of Colorado Water Quality Control Division has reviewed the proposed amendments to the Gunnison County, Colorado On-site Wastewater Treatment System Regulations (hereinafter the proposed amendments to the OWTS Regulations) pursuant to section 43.4(A)(2)(a) of Regulation 43 and found no inconsistencies or conflicts with regard to Regulation 43 and has no objections to the proposed OWTS Regulations; and

WHEREAS, the Gunnison County Environmental Health Board has reviewed and certified to the Board proposed amendments to the OWTS Regulations; and

WHEREAS, the Board has determined that the proposed amendments to the OWTS Regulations are in the best interest of public health, safety and welfare of the citizens of Gunnison County; and

WHEREAS, a public hearing on this matter was held by the Board on the 5th day of April, 2016; and

WHEREAS, notice of the public hearing was given at least once and at least 20 days in advance; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the following amendments to the Gunnison County

OWTS Regulations are hereby adopted for the unincorporated area of Gunnison County on or after the effective date below:

1. Section 5-112: CALCULATION OF SEWAGE FLOW, C. SINGLE-FAMILY RESIDENCES AND MOBILE HOMES. To calculate the sewage flow for single-family residences and mobile homes, a figure of two people per bedroom or four people per residence shall be used, whichever is greater. The minimum design flow per person shall be 75 gallons per day. Where increased wastewater flow is anticipated, on-site wastewater treatment systems shall be sized to accommodate the wastewater flows generated so that the required treatment level of the wastewater is achieved; and

2. Article 19: CRESTED BUTTE WATERSHED OWTS DISTRICT, as set forth in Appendix "A" attached hereto and incorporated herein, consisting of two (2) pages

INTRODUCED by Commissioner_____, seconded by Commissioner _____, and adopted this ____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By _____
Paula Swenson, Chairperson

By _____
Phil Chamberland, Vice Chairperson

By _____
Jonathan Houck, Commissioner

ATTEST:

_____
Deputy County Clerk

APPENDIX A: AMENDMENTS TO ARTICLE 19: CRESTED BUTTE WATERSHED OWTS DISTRICT OF THE GUNNISON COUNTY OWTS REGULATIONS

ARTICLE 19: CRESTED BUTTE WATERSHED OWTS DISTRICT

SECTION 19-101: DESIGNATION OF CRESTED BUTTE WATERSHED ON-SITE WASTEWATER TREATMENT SYSTEM DISTRICT

The Crested Butte Watershed On-site Wastewater Treatment System District ("Crested Butte Watershed OWTS District") is designated, pursuant to Article 12: *OWTS Districts*, to be the geographic area depicted on the Gunnison County "Map of the Crested Butte Watershed On-site Wastewater Treatment System District." That geographic area includes the entire "Town of Crested Butte Watershed Protection District" and the entire former townsite of Irwin. The official Gunnison County Map of The Crested Butte Watershed On-site Wastewater Treatment System District is located in the Community Development Department. A copy of the map may be obtained from the Department.

SECTION 19-102: PURPOSE OF CRESTED BUTTE WATERSHED ON-SITE WASTEWATER TREATMENT SYSTEM DISTRICT

The purpose of the Crested Butte Watershed OWTS District is the identification of a discrete geographic area in which groundwater pollution is to be systematically evaluated and sewage treatment is to be specially regulated by Gunnison County to minimize the threat of or actual pollution of surface, stream or groundwater.

SECTION 19-103: INTERPRETATION WITH OTHER PROVISIONS OF THE GUNNISON COUNTY ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS

Whenever any provision of this Article 19 is inconsistent with any other provision of these *Regulations*, the provision imposing the more restrictive definition, requirement or standard shall apply.

SECTION 19-104: NEW SYSTEMS AND REPLACEMENT SYSTEMS

A. NEW OWT SYSTEMS AND REPLACEMENT OF EXISTING OWTS SYSTEMS WITHIN THE CB WATERSHED. All proposed systems and any replacement of, or addition to, an existing OWT system, including a Soil Treatment Area, within the Crested Butte Watershed OWTS District shall meet the following requirements.

1. **SITE-SPECIFIC DESIGN.** In addition to the requirements of Section 3-105: OWTS PERMIT APPLICATION, proposed designs within the CB Watershed OWTS District shall be a minimum treatment level of TL2, as identified in Section 5-113: WASTEWATER STRENGTH, or better; and
2. **INSPECTION AND MAINTENANCE REQUIRED.** Maintenance and inspection for systems within the Crested Butte Watershed OWTS District shall be in accordance with Section 10-105: INSPECTION AND MAINTENANCE FOR SYSTEMS THAT HAVE RECEIVED SOIL TREATMENT AREA REDUCTIONS BASED ON USE OF HIGHER TREATMENT.
3. **PERMIT SHALL BE RENEWABLE.** The OWTS permit shall be a renewable permit in accordance with Article 11: RENEWABLE PERMITS.

SECTION 19-105: INSPECTION AND MAINTENANCE OF EXISTING SYSTEMS

A. INSPECTION AND MAINTENANCE OF EXISTING SYSTEMS. The owner(s) of real property in the Crested Butte Watershed OWTS District on which any OWTS existed as of August 20, 1996, shall cause, at the expense of the owner, such system to be inspected, on at least an annual basis by September 15 of each year. The owner of any such system shall cause to be performed, within 60 days of the inspection, at the

owner's cost, all cleaning and maintenance required by the inspector. The owner of any such system shall provide to the Environmental Health Office written proof of compliance with this Section 19-105 no later than October 15 of each year.

1. **QUALIFICATIONS OF THE INSPECTOR AND MAINTENANCE PROVIDER.** Inspectors shall be certified by the National Association of Wastewater Technicians or an equivalent program approved by the Environmental Health Office. Inspectors shall have training relevant to the specific system or certification by the equipment manufacturer.

SECTION 19-106: GARBAGE DISPOSALS PROHIBITED

The installation and use of garbage disposals is prohibited within the Crested Butte Watershed OWTS District.