AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution; Amending the Gunnison County On-Site W

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Staff is recommending a resolution to amend Article 19: CB Watershed OWTS District of 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 db 6/2/17 I have met with Cathie about some language changes - as opposed to substantive changes - in the Resolution. She will be making those changes and bringing a corrected version to the BOCC meeting.

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 6/2/2017 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 6/2/2017

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 6/6/2017

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 17-___

A RESOLUTION AMENDING THE GUNNISON COUNTY ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS, SPECIFICALLY 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, on April 5, 2016 the Board adopted an amendment to "Article 19: Crested Butte Watershed OWTS District" of the "Gunnison County OWTS Regulations" through Resolution No: 16-15; and

WHEREAS, State of Colorado Water Quality Control Division has reviewed the proposed further amendment to the Gunnison County OWTS Regulations pursuant to section 43.4(A)(2)(a) of Regulation 43, On-site Wastewater Treatment System Regulation, 5 CCR 1002-43, and found no inconsistencies or conflicts between Regulation 43 and the proposed amendment 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 amendment to the OWTS Regulations; and

WHEREAS, the Board has determined that the proposed amendment 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 6th day of June, 2017; and

WHEREAS, notice of the public hearing was given at least once and at least 30 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. Article 19: CRESTED BUTTE WATERSHED OWTS DISTRICT, as set forth in Appendix "A" attached hereto and incorporated herein, consisting of two (2) pages. The amendment changes are highlighted below.

INTRODUCED by Commissioner_____, seconded by Commissioner

_____, and adopted this ____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By _____
Phil Chamberland, Chairperson

By _____
Jonathan Houck, Vice Chairperson

By_____
John Messner, Commissioner

ATTEST:
_____

Deputy County Clerk

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.

~~3.~~4. **TOWN OF CRESTED BUTTE WATERSHED PERMIT REQUIRED.** The applicant shall obtain a Watershed District Permit from the Town of Crested Butte prior to issuance of the Gunnison County OWTS Permit.

SECTION 19-105: INSPECTION AND MAINTENANCE OF EXISTING SYSTEMS

Appendix A: Article 19-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~~an OWTS exists and other than those OWT systems permitted under Section 19-104, A., 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. **Exception:** If the results of an inspection described in Section 19-105, A. establish that an OWTS is functioning as designed and if the certified inspector states, in writing, that an inspection described in Section 19-105, A. is not necessary on an annual basis, then a self-certification inspection report as described in Section 19-105, B. may be acceptable on an annual basis for a period of time not to exceed five years or as stated by the certified inspector, whichever is less.

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.

~~1.~~**B. SELF-CERTIFICATION INSPECTION.** When the results of the inspection described in Section 19-105, A. certify that a system is functioning as designed and when the certified inspector states, in writing, that the annual inspection described in Section 19-105, A. may not be necessary annually, and where a system is not required to maintain a service contract, a self-certification inspection shall be acceptable on an annual basis by September 15 of each year for a period of time not to exceed five years or as stated by the certified inspector, whichever is less. The person conducting the annual OWTS self-certification shall be educated on the system, familiar with the system components, and approved by the Environmental Health Office. The self-certification inspection form shall be system specific and provided by the Environmental Health Office as part of *Article 11: Renewable Permits*.

SECTION 19-106: GARBAGE DISPOSALS PROHIBITED

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