

STATE OF COLORADO

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Colorado Department
of Public Health
and Environment

Technical Memorandum

To: Participants in the 2011 Nonpoint Source Consultation Day

From: Greg Naugle, Unit Manager, Restoration and Protection Unit
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Date: November 2, 2010

Subj.: Eligibility Screening Evaluation of 2011 Nonpoint Source Concept Papers within MS4 Permit Coverage Areas

As discussed in the Colorado Nonpoint Source – FY2011, Regulated Stormwater Fact Sheet (www.npscolorado.com), if a proposal submitted for Nonpoint Source (NPS) funding may have a connection to regulated stormwater, the project proponent is required to provide specific documentation to demonstrate that the proposed project does not trigger federally-defined ineligibility criteria. The Water Quality Control Division, Nonpoint Source Management Area (NPS Program) committed to provide a screening-level evaluation to assist project proponents in meeting this requirement and in assessing if proposal concepts are eligible for NPS funding. The outcomes of the screening-level evaluation are provided in this memorandum.

The NPS Program performed a screening-level evaluation of the concept papers submitted for Consultation Day, August 2010, with one exception; on October 26, 2010, The Greenway Foundation provided an updated concept paper for evaluation. Of the concept papers submitted, 6 were found to have potential links to regulated stormwater. Determination of a potential MS4 overlay for one additional concept paper could not be made because of uncertainty with respect to geographic location as compared to MS4 coverage area boundaries (Uncompahgre River Bank Stabilization and Educational Workshops); the Uncompahgre concept paper was therefore not evaluated in this process.

The methodology used by the NPS Program was based on general permit provisions in: COS-000005 (www.coloradodot.info/programs/environmental/water-quality/documents); COR-090000; COR-080000; and COR-070000 (COR permits are at www.cdphe.state.co.us/wq/PermitsUnit/MS4/MS4newpage.html.) All Phase I MS4 permits were not included in the evaluation, but rather, COS-000005 was used as a representative Phase I MS4 permit. Specific programs and annual reports submitted by MS4 permittees were not assessed.

The outcomes provided below are not funding decisions. Similarly, the outcomes are not determinations regarding any other funding eligibility factors. The following are outcomes of a screening-level evaluation to assess eligibility for those proposals that may have a link to regulated stormwater and therefore need to be assessed with respect to two, primary, federally-defined eligibility questions: will NPS funding be used to implement specific requirements of draft or final stormwater permits (including BMPs that are required as part of a draft or final stormwater permit); and will NPS funding be used to implement permit application requirements associated with stormwater regulations?

Concept Paper Title	Evaluation Outcome	Conditions
Lower Bear Creek (Denver) Watershed Plan	Eligible (conditional)	Additional evaluation of potential links to illicit discharge, public education, training, and monitoring permit provisions is recommended.
Chatfield Watershed Plan	Eligible	None
Watershed Planning for the Lower Colorado River	Eligible	None
Project WET Colorado – NPS and Watershed Planning Education	Eligible (conditional)	Additional evaluation of potential links to public education and outreach, illicit discharge training, and pollution prevention/good housekeeping permit provisions is recommended.
Protect Our Urban River Environment Reduction in Trash and Littering, South Platte Urban Corridor	Eligible (conditional)	Additional evaluation of potential links to public education and outreach, monitoring, and illicit discharge permit provisions is recommended.
Trash and Litter Assessment at South Platte River Stormwater Outfalls in Denver	Eligible (conditional)	Additional evaluation of potential links to pollution prevention/good housekeeping, monitoring, public education and outreach, illicit discharge, and construction/post-construction permit provisions is recommended.

As the concept papers for those proposals identified as Eligible (conditional) are developed into project proposals, the recommendation is that additional evaluation of certain stormwater permit provisions be conducted and reflected through the project proposal to ensure a more comprehensive demonstration of funding eligibility. Please refer to the Regulated Stormwater Fact Sheet for guidance on completion of such evaluations, and please contact Tammy Allen if you have questions or would like additional information, 303-692-3554, tamara.allen@state.co.us.