



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: Fruita City Council and Mayor

FROM: Kimberly Bullen, Public Works Director

DATE: March 15, 2022

AGENDA TEXT: Total Maximum Daily Load (TMDL) Update

BACKGROUND

On August 3, 2021, the Fruita City Council received a presentation from Mesa County and SGM Engineering on the Total Maximum Daily Load (TMDL) Assessment for the Colorado River tributaries in the Grand Valley developed under Section 303(d) of the Clean Water Act.

On August 10, 2021, the Division published the original draft of the TMDL (“Original Draft TMDL”); on September 9, 2021, the Grand Valley Stakeholders submitted a Notice of Appeal and Request for Adjudicatory Hearing; on October 1, 2021, the Division re-published the Original Draft TMDL; on October 29, 2021, the Division withdrew the Original Draft TMDL; and on February 15, 2022, the Division published the Revised Draft TMDL. Comments are due on March 17, 2022.

While the Division revised its selenium loading analysis, many of the Grand Valley Stakeholders concerns with the Original Draft TMDL remain in the Revised Draft TMDL. The Revised Draft TMDL continues to be premised on several incorrect assumptions rather than demonstrated scientific facts, and the standards are physically unattainable by the MS4 communities and non-point sources.

In addition, there remains the issue of groundwater and selenium. The Stakeholder Group would like to retain Winfield Wright who is a Professional Engineer and Certified Professional Hydrologist to assist with additional analysis, review of the draft TMDL and assistance through the petition process. The total cost for Winfield Wright’s services is \$15,500. The County was able to negotiate with AMGD/WCCA and the Grand Junction Chamber to cover a portion of his services with the remaining \$11,250 to be split between stakeholders.

Mesa County is supporting \$4,500 of the cost for Winfield Wright’s services and is requesting the remainder to be shared amongst stakeholders. The City of Fruita’s contribution would be 24% for a total of \$1,600 which will be paid out of budgeted expenditures.