

# STATE OF COLORADO

John W. Hickenlooper, Governor  
Christopher E. Urbina, MD, MPH  
Executive Director and Chief Medical Officer



Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

July 30, 2012

Alexander Halpern, Vice President  
Shambhala International (Vajradhatu)  
1790 30<sup>th</sup> Street, Suite 280  
Boulder, CO 80301

**RE: Amendment Number Two Regarding Compliance Order on Consent Number: MC-100825-1**

Dear Mr. Halpern:

Shambhala International (Vajradhatu) ("Shambhala") entered into the above referenced Compliance Order on Consent on August 25, 2010 (the "Order"). The Order was issued by the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") pursuant to the authority given the Division by §§25-8-602 and 25-8-605 of the *Colorado Water Quality Control Act* (the "Act"). The Division based the Order upon findings that Shambhala violated the Act.

Pursuant to Compliance Order on Consent Amendment Number One, dated January 31, 2012, the Division established revised compliance schedule dates for resolving the site location and design violations cited in the Order. On July 16, 2012, the Division received a request from Shambhala (see attached copy marked as "Attachment A" for reference) to again modify paragraph 25 of the Order to extend the deadlines for completion of the wastewater collection improvements due to the unforeseen complications of the High Park Fire during June 2012.

As of May 2012, Shambhala has completed the installation of the new, Division approved, wastewater treatment plant and interim reconfigured collection system for the facility, effectively taking the former ISDS with the associated lagoon offline. Since Shambhala has ceased discharging to the lagoon via the former ISDS and due to the unforeseen complications of the High Park Fire, the Division establishes a new compliance date of May 1, 2015 to complete construction and to achieve operational status of the facility's, Division approved, reconfigured (final) wastewater collection system (Paragraph 25 h. of the Order). Additionally, the Division establishes a new compliance date of May 15, 2015 for the submission of documentation to the Division demonstrating that complete closure (dewatering, sludge removal/disposal, final grading, etc.) of the former lagoon was achieved (Paragraph 25 i. of the Order).

**Please note that all other terms, conditions, and requirements of the Order remain unchanged and in effect.**

If Shambhala has any questions, please contact Joe Campbell at 303.692.2356 or by electronic mail at [joseph.campbell@state.co.us](mailto:joseph.campbell@state.co.us).

Sincerely,



Steven H. Gunderson, Director  
WATER QUALITY CONTROL DIVISION

**Attachments**

cc: Larimer County Health Department

ec: Dick Parachini, Watershed Program, CDPHE  
Natasha Davis, EPA Region VII



## Shambhala Mountain Center

Joseph Campbell  
 Colorado Department of Health & Environment  
 Water Quality Control Division  
 Water Pollution Control Enforcement Unit  
 4300 Cherry Creek Drive South,  
 Denver, Colorado 80246

July 16, 2012

Dear Joseph,

I am writing to request an extension on our modified agreement dated December 16, 2001 under the heading of Final Compliance Order on Consent Amendment No.1 with the state concerning Case#: MC- 100825-1.

I will address the specific portions of the amendment that are pertinent to the request. They are items

- f. By no later than May 1, 2012, reconfigure (interim design) collection system piping to direct the Facility's liquid wastewater flows from the revised phase I collection system to the new wastewater treatment plant and discontinue the Facility's liquid wastewater flows to the old lagoon and constructed wetlands;
- g. By no later than May 15, 2012, submit a written certification to the Division stating that the interim collection system piping has been reconfigured as outlined in the August 27, 2011 and the October 3, 2011 Shambhala proposals, that the Facility's liquid wastewater flows from the revised phase I collection system are being directed to the new wastewater treatment plant and the Facility's liquid wastewater flows to the old lagoon and constructed wetlands have been terminated;
- h. By no later than May 1, 2014, complete construction and achieve operational status of the Facility's, Division approved, reconfigured (final) wastewater collection system; and
- i. By no later than May 15, 2014, submit documentation to the Division demonstrating that complete closure (dewatering, sludge removal/disposal, final grading, etc.) of the old lagoon and constructed wetlands was achieved.

www.shambhalamountain.org



ATTACHMENT A

We have complied with items f. and g. which was reported in our April monthly report submitted by Richard Swayback on May 3, 2012.

Regarding items h. and i. which call for the completion of construction and operational status of the reconfigured waste water collection systems by May 1, 2014 and certification by May 14, 2014, that the systems be in place including the complete closure of the old lagoon and constructed wet lands, we are requesting that the dates for these two sections be changed to May 1 2015 and May 15, 2015.

As you and I had discussed on the phone at the end of June, Shambhala Mountain Center had been impacted by the High Park fire including our evacuating the land by June 13, ceasing all programs on the land for June and July and our dispersed staff returning to the land during the first week of July. All of our communication systems had been dismantled during our evacuation except for a few communication points and we completed a few, major programs in June by transferring them to another venue in Boulder.

The incredible impact of chaos, operational discontinuity, and financial loss due to cancellation of programs and holding some major programs at a different venue have still not been calculated but they are immense. Under these circumstances we found it impossible to go forward with our plan to begin construction by September on the collection system. It is with regret that we make this request as our full intention was to move this project along. Nevertheless we feel fortunate. As disastrous as the fire impact has been, we did not lose buildings or lives to the fire and many people were not as fortunate.

If you have any questions please do not hesitate to contact me. I am currently working out of my home office as I am transitioning out of my position as Executive Director. You can contact me on my business line at: 970-221-2195. My e-mails addresses remain the same.

Thank you for your understanding and support during this difficult time,

Jon Barbieri

**Campbell, Joseph D.**

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**From:** Jonathan Barbieri [Jonathanbarbieri@gmail.com]  
**Sent:** Wednesday, July 18, 2012 12:18 PM  
**To:** Campbell, Joseph D.  
**Cc:** eschemm@larimer.org; Michael Gayner; Michael Gayner; Richard Swaback  
**Subject:** Request for extension from Shambhala Mountain Center  
**Attachments:** Extension request 7-16-12 pg 1.doc; Extension request 7-16-12 pg.2.doc

Dear Joe,

Attached is our letter requesting an extension of one year per dates cited in the last agreement dated December 16, 2011.

To bring you up to date, I am transitioning out of the Executive Director's position at Shambhala Mountain Center. This is my fifth year and it is an interesting and opportune time for change- especially given that the fire has created enormous changes for us at this time. My last day in the office will be August 23rd. My goal is to have this all in place before I depart so that you and the new Executive Director, Michael Gayner, can speak and begin communications going forward.

As I recall from our last conversation, given the circumstances, you are not intending to create an entire new agreement but simply cite the reasons and new dates. Sounds good to me.

Please let me know if you have any questions.

Thank you,  
Jon

Jonathan Barbieri  
Executive Director  
Shambhala Mountain Center  
151 Shambhala Way  
Red Feather Lakes, CO 80545  
Tel: 970-881-2184 X211