



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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**SEP 30 2015**

Ref: 8EPR-EP

Ms. Lauren Evans, Chair  
Water Quality Control Commission  
4300 Cherry Creek Drive South  
Denver, Colorado 80222-1530

Re: Revisions to Regulation #38

Dear Ms. Evans:

The U.S. Environmental Protection Agency Region 8 has completed its review of certain revisions to water quality standards (WQS) adopted by Colorado's Water Quality Control Commission (Commission). The revisions addressed in today's action were adopted August 10, 2015, with an effective date of December 30, 2015. The submission letter included an Opinion of the Attorney General certifying that the standards were duly adopted pursuant to State law. Receipt of the revised standards on October 5, 2015 initiated the EPA's review pursuant to Clean Water Act (CWA) § 303(c). The EPA has completed its review, and this letter is to notify you of our action.

The revisions include changes to the water quality standards for the South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin (Regulation #38). We appreciate the Commission's decision to revise the total phosphorus numeric standard for Bear Creek Reservoir, resolving EPA's 2009 disapproval action.

**Clean Water Act Review Requirements**

The CWA § 303(c)(2), requires States and authorized Indian Tribes<sup>1</sup> to submit new or revised WQS to the EPA for review. The EPA is required to review and approve, or disapprove, the submitted standards. Pursuant to CWA § 303(c)(3), if the EPA determines that any standard is not consistent with the applicable requirements of the Act, the Agency shall, not later than the ninetieth day after the date of submission, notify the State or authorized Tribe and specify the changes to meet the requirements. If such changes are not adopted by the State or authorized Tribe within ninety days after the date of notification, the EPA is to propose and promulgate such standard pursuant to CWA § 303(c)(4). The Region's goal has been, and will continue to be, to work closely with States and authorized Tribes throughout the standards revision process so that submitted revisions can be approved by the EPA.

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<sup>1</sup> CWA § 518(e) specifically authorizes EPA to treat eligible Indian tribes in the same manner as states for purposes of CWA § 303. See also 40 CFR § 131.8.

Pursuant to the EPA's Alaska Rule (40 CFR § 131.21(c)), new or revised state standards submitted to the EPA after May 30, 2000, are not effective for CWA purposes until approved by the EPA.

### **Today's Action**

We are pleased to inform you that today, with the exception of certain revisions where the EPA is taking no action, the EPA is approving the changes to Regulation #38 adopted on August 10, 2015. EPA is not acting on (1) the total phosphorus (TP) standards assigned to rivers/streams, (2) the TP standards assigned to lakes/reservoirs that have a warm water aquatic life use classification, and (3) revisions to 38.7 and Upper South Platte River segment 23 to clarify that Marston Forebay does not contain State waters.. The rationale for the EPA's approval action is discussed in detail in the enclosure.

### **Endangered Species Act Requirements**

The EPA's approval of Colorado's WQS is considered a federal action which may be subject to the Section 7(a)(2) consultation requirements of the Endangered Species Act (ESA). Section 7(a)(2) of the ESA states that "each federal agency ... shall ...insure that any action authorized, funded or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined to be critical..." The EPA has initiated consultation under ESA Section 7(a)(2) with the U.S. Fish and Wildlife Service (Service) regarding our approval of the new or revised WQS. The EPA also has a CWA obligation, as a separate matter, to complete its WQS action. Therefore, in acting on the state's WQS today, EPA is completing its CWA § 303(c) responsibilities. However, because ESA consultation on the EPA's approval of these standards is ongoing, the EPA's approval is made subject to the outcome of the ESA consultation process. Should the consultation process with the Service identify information regarding impacts on listed species or designated critical habitat that supports amending the EPA's approval, the EPA will, as appropriate, revisit and amend its approval decision for those new or revised WQS.

### **Indian Country**

The WQS approvals in today's letter apply only to water bodies in the state of Colorado, and do not apply to waters that are within Indian country, as defined in 18 U.S.C. § 1151. Today's letter is not intended as an action to approve or disapprove water quality standards applying to waters within Indian country. The EPA, or authorized Indian tribes, as appropriate, will retain responsibilities for water quality standards for waters within Indian country.

**Conclusion**

We thank the Commission for its efforts to improve the water quality standards that protect the waters of Colorado. Questions regarding this action may be directed to David Moon at (303) 312-6833.

Sincerely,



Martin Hestmark  
Assistant Regional Administrator  
Office of Ecosystems Protection  
and Remediation

Enclosure

**ENCLOSURE 1**  
**RATIONALE FOR EPA'S ACTION ON THE REVISIONS TO REGULATION #38**  
**ADOPTED AUGUST 10, 2015**

With the exception of certain revisions where the EPA is taking no action, the Region is approving the changes to Regulation #38 adopted on August 10, 2015. This enclosure addresses the changes to Classifications and Numeric Standards for South Platte Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin, Regulation #38 (5 CCR 1002-38). The discussion below summarizes the revisions adopted by the Water Quality Control Commission (Commission) and the rationale for the EPA's action.

Revisions were adopted as a result of the triennial review of the use classifications and numeric standards assigned to individual segments. The review process included incorporating revisions to the *Basic Standards and Methodologies for Surface Water* (Regulation #31) that were adopted by the Commission in 2010. For example, the Commission adopted revisions to:

- antidegradation designations,
- recreation classifications and standards,
- water supply classifications and health-based standards,
- temporary modifications (human health parameters),
- agriculture classifications and standards,
- aquatic life classifications,
- aquatic life-based numeric standards, and
- temporary modifications (aquatic life parameters).

In reviewing the changes to Colorado's water quality standards, the EPA read and carefully considered all documents and information submitted to the Commission during the State's rulemaking process, including but not limited to the proponent's pre-hearing statements and exhibits, responsive pre-hearing statements and exhibits, rebuttal statements and exhibits, sur-rebuttal statements and exhibits, and public comments.

**STANDARDS APPROVED WITHOUT CONDITION**

All water quality standards revisions in this category are approved without condition. The basis for the EPA's approval action is that the revisions are consistent with the requirements of the Clean Water Act and the EPA's implementing regulation.

Antidegradation Designations

An Outstanding Waters designation was applied to waters within the James Peak Wilderness Area (Boulder Creek segments 1 and 13) based on a proposal submitted by the Division. The evidence shows that the water quality-based eligibility test at 31.8(2)(a) is met and that native cutthroat trout are present

in these high elevation stream segments. The Colorado antidegradation rule at 31.8(1)(a) requires that Outstanding Waters are to be maintained and protected at their existing quality.

Use Protected designations were added to St. Vrain Creek segment 4a and removed from Boulder Creek segment 7a and Cache la Poudre River segment 13a. The addition of a UP designation to St. Vrain Creek segment 4a, which has an Cold 1 aquatic life use classification, was based on data showing that the water quality test at 31.8(2)(b)(i)(B) is met, and that there are water quality exceedances for cadmium, copper, and zinc. The degraded water quality conditions justify a UP designation. Removal of Use Protected designations from Boulder Creek segment 7a and Cache la Poudre segment 13a means that the waters included in these segment are now reviewable (i.e., a higher level of antidegradation protection was assigned).

The revisions to antidegradation designations are consistent with Colorado's antidegradation rule at 31.8 of the *Basic Standards and Methodologies for Surface Waters* (previously approved by the EPA) and the EPA's water quality standards regulation at 40 CFR § 131.12.

#### Revisions to Recreation Classifications and Standards

Several changes to recreation classifications and standards were adopted. A more stringent Recreation E (existing primary contact) classification was assigned to Clear Creek segments 16b, 17a, and 18b. Along with the upgraded use classification, the *E. coli* table value criterion in Regulation #31 for Recreation E streams (126 per 100 ml as a geometric mean) was also assigned to these segments. For Lower South Platte River segment 2a and Republican River segment 6, the Recreation N classification (not primary contact) was upgraded to Recreation P (potential for primary contact). For Lower South Platte River segment 4, the Recreation U classification was changed to Recreation P.

Recreation-based chlorophyll-a standards equal to the interim value (150 mg/m<sup>2</sup>) were assigned to Upper South Platte segments 1a, 1b, 2a, 2c, 3, 4, 5a, 5b, 7, 8, 9, 10a, 11a, 11b, 12, 13, 14, 16c, 16d, 16f, 16h, 16i, 16j, and 16k; Cherry Creek segments 1, 4a, and 4b; Bear Creek segments 1a, 3, 5, 6a, and 7; Clear Creek segments 3b, 4, 5, 6, 8, 9a, 9b, 10, 12a, 12b, 13a, 13b, 16a, 16b, 17b, 18a, 18b, and 19; Big Dry Creek segments 1, 4a, and 4b; Boulder Creek segments 1, 2a, 2b, 3, 4a, 4b, 4c, 4d, 6, 7a, and 8; St. Vrain Creek segments 1, 2a, 2b, 4a, 4b, 4c, and 5; Middle South Platte segments 3a and 3b; Big Thompson River segments 1, 2, 6, 7, 8, 9, and 10; Cache la Poudre segments 1, 2a, 2b, 6, 8, 9, 13a, 13b, and 13c; Laramie River segment 2a; Lower South Platte River segments 2a and 2b; and Republican River segments 3, 4, 5, and 6. The chlorophyll-a interim value at 31.17(d) was approved by EPA on July 14, 2016.

The revisions to recreation classifications and standards are consistent with the EPA's water quality standards regulation at 40 CFR §§ 131.10 and 131.11.

#### Revisions to Water Supply Use Classifications and Health-Based Standards

Changes to water supply use classifications and the associated numeric standards were adopted including, for example, the addition of a water supply use classification and numeric standards to Upper

South Platte River segments 7, 11a, and 16j; Cherry Creek segments 4a and 4b; Clear Creek segment 5; Boulder Creek segments 7a and 7b; Middle South Platte River segments 3a and 5a; Big Thompson River segments 4b and 9; and Lower South Platte River segments 2a and 3. The new water supply standards will enhance source water protection efforts in these watersheds.

Numeric water supply-based standards for additional parameters were applied as necessary to assure that a full set of numeric standards is in place for protection of the water supply use classification. For example, cadmium, lead and nickel water supply standards were added to a number of segments, and a water supply-based molybdenum standard of 210 µg/L was added to Upper South Platte River segment 22a and Clear Creek segments 4 and 5 based on the water supply-based table value adopted in 2010. Updates were adopted to the basic standards for uranium in 38.5(3). For three segments where a water supply use classification has not been applied (Clear Creek segment 13b, Boulder Creek segment 8, St. Vrain Creek segment 6), water supply numeric standards were removed based on a Division review which determined that there are no existing water supply uses and that removing the water supply numeric standards is appropriate.

Health-based numeric standards based on a human fish consumption exposure pathway (either water + fish or fish ingestion) were applied to Upper South Platte River segment 16i; Cherry Creek segment 6; Clear Creek segment 14b; Boulder Creek segment 17; St. Vrain Creek segment 12; Middle South Platte River segments 1a, 1b, 3a, and 4; Big Thompson River segments 13 and 17; and Lower South Platte segment 1. The additional numeric standards will enhance protection of human health consistent with the Clean Water Act § 101(a)(2) goal.

A site-specific health-based chronic mercury standard (0.026 µg/L, total) was adopted for a portion of Upper South Platte River segment 16i. The standard was calculated using a bioaccumulation factor (BAF) for green sunfish, based on measured concentrations in water and fish tissues at the site, and the 304(a) criteria recommendation for methylmercury in fish tissue of 0.3 mg/kg. The green sunfish BAF was the highest of the species-specific BAFs. The site-specific standard applies to the portion of Sand Creek from Brighton Boulevard to the confluence with the South Platte River. The table value standard (0.01 µg/L, total) applies upstream and downstream of the site-specific standard. Downstream uses in the South Platte River are expected to be protected due to the low tissue concentrations observed downstream and the assimilative capacity in the South Platte River. In addition, the 2016 review of Regulation 31 included a revision to 31.3 requiring that “the Commission shall take into consideration the water quality classifications and standards of downstream waters and shall ensure that as implemented through its policies, the water quality classifications and standards of downstream waters will be attained and maintained.”

A Direct Use Water Supply (DUWS) sub-classification was applied to Upper South Platte River segments 16b (Aurora Reservoir), 19 (Strontia Springs Reservoir), 21 (Aurora Rampart Reservoir), 22a (McClellan Reservoir, Quincy Reservoir); Bear Creek segment 1d (Evergreen Lake); Clear Creek segments 17a (Arvada Reservoir), 23 (Ralston Reservoir), 24 (Maple Grove Reservoir); Big Dry Creek segment 2 (Standley Lake); Boulder Creek segments 14 (Lakewood Reservoir), 15 (Kossler Lake), 17

(Baseline Reservoir, Marshall Lake, Thomas Reservoir, Waneka Reservoir); St. Vrain segments 7 (Boulder Reservoir, Spurgeon Reservoir, and Left Hand Valley Reservoir), 10 (Joder Reservoir), and 13 (Burch Lake); Big Thompson River segment 11 (Carter Lake), 12 (Boyd Lake and Loveland Lake), 13 (Berthoud Reservoir and Johnstown Reservoir), 14 (Lonetree Reservoir), and 16 (St. Mary's Lake); Cache la Poudre segments 14 (Horsetooth Reservoir) and 21 (North Poudre Reservoir No. 3). The DUWS sub-classification (Regulation 31.13(1)(d)(i)) was approved by EPA on July 14, 2016.

The revisions to water supply use classifications and health-based standards are consistent with the EPA's water quality standards regulation at 40 CFR §§ 131.10 and 131.11.

#### Revisions to Temporary Modifications (Human Health Parameters)

Water supply-based arsenic temporary modifications were adopted for Upper South Platte River segments 2c and 22a; Bear Creek segments 1b, 4a, 5, 6b, and 11; Clear Creek segments 5, 9a, 11, and 14b; Boulder Creek segments 3, 4b, and 7a; St. Vrain Creek segments 2b and 7; Middle South Platte River segments 1a, 3a, and 4; Big Thompson River segments 3, 4a, and 4b; Cache la Poudre segment 10b; and Lower South Platte River segment 1. Water supply-based temporary modifications were also adopted for Upper South Platte River segment 10a (manganese), 14 (chloride), and 15 (chloride and sulfate). Health-based temporary modifications were deleted from Big Thompson River segment 2 (nitrate, mercury). The revisions are consistent with Colorado's temporary modification general policy in *Basic Standards and Methodologies for Surface Waters* (Regulation #31, Section 31.7(3)). The EPA's regulation at 40 CFR § 131.13 provides that such general policies may be adopted at State discretion, and are subject to the EPA's review and approval. Colorado's general policy has been approved by the EPA on multiple occasions, and most recently on August 4, 2011.

#### Revisions to Agriculture Use Classifications and Standards

Various changes were adopted, including the application of additional numeric standards for the protection of agriculture uses to Clear Creek segments 13b, 16b, 22, and 25; and Big Dry Creek segments 1 and 3. A molybdenum standard of 150 µg/L was applied to segments with an agriculture use classification and where livestock or irrigated forage are present or expected to be present. An agriculture-based chromium III standard of 100 µg/L was assigned to various segments.

The revisions to agriculture use classifications and standards are consistent with the EPA's water quality standards regulation at 40 CFR §§ 131.10 and 131.11.

#### Bear Creek Reservoir Total Phosphorus and Chlorophyll-a

For Bear Creek segment 1c (Bear Creek Reservoir), the Commission adopted revised site-specific chlorophyll-a (12.2 µg/L) and total phosphorus (22.2 µg/L) numeric standards based on the Division's proposal. Both standards are expressed as summer averages with an allowable exceedance frequency of once in five years. The standards were developed using only summer average concentrations from Bear Creek Reservoir. Today's approval resolves EPA's 2009 disapproval of the previous site-specific total phosphorus standard (32 µg/L).

## **STANDARDS APPROVED SUBJECT TO ESA CONSULTATION**

All water quality standards revisions in this category are approved, subject to the completion of ESA consultation. The basis for the EPA's approval action is that the revisions are consistent with the requirements of the Clean Water Act and the EPA's implementing regulation.

### Revisions to Aquatic Life Classifications

More stringent aquatic life use classifications were adopted for several segments based on the Division's proposal and the supporting information (e.g., biological data). Generally, Class 1 uses are appropriate for segments that currently are capable of supporting a wide variety of biota, including sensitive species, or could sustain such biota if not for correctable water quality conditions. The aquatic life use classification was upgraded for all or a portion of Upper South Platte River segments 12 (Bear Creek, Warm 2 to Warm 1) and 16k (Warm 2 to Warm 1); Clear Creek segment 12b (Cold 2 to Cold 1); Boulder Creek segment 18 (Gross Reservoir, Cold 2 to Cold 1); Big Thompson River segment 4a (Cold 2 to Cold 1) and 4b (Warm 2 to Warm 1); Cache la Poudre segments 7 (Cold 2 to Cold 1), 10a (Cold 2 to Cold 1), 11 (Warm 2 to Warm 1), and 12 (Warm 2 to Warm 1); and Republican River segment 5 (Warm 2 to Warm 1).

The revisions to aquatic life classifications, each of which resulted in more stringent protections for aquatic life, are consistent with the EPA's water quality standards regulation at 40 CFR § 131.10.

### Revisions to Numeric Standards for the Protection of Aquatic Life Classifications

Various changes to aquatic life-based numeric standards were adopted, including revisions associated with the use classification changes discussed above. Revisions were also adopted to achieve consistency with the changes to Regulation #31 table value standards adopted by the Commission in 2010 and approved by the EPA (August 4, 2011 action letter), including updates to the table values for aluminum, ammonia, temperature, and zinc. The revisions included the application of chronic standards for chromium (III) to several segments lacking such standards.

- For Clear Creek segment 12b, the CS-II temperature standards were replaced with the (more stringent) CS-I standards.
- A full set of aquatic life table value standards was applied to Clear Creek segments 7a (Woods Creek) and 7b (Urad Reservoir) to better protect the Cold 2 use classification.
- A footnote explaining how the adequate refuge requirement is to be implemented was assigned to the ambient-based temperature standards previously adopted for Upper South Platte River segment 19 (Eleven Mile Reservoir); Boulder Creek segment 18 (Gross Reservoir); Big Thompson River segment 11 (Carter Lake); and Cache la Poudre segment 14 (Horsetooth Reservoir).

- Chlorophyll-a numeric standards (equal to the interim values in Regulation #31) were assigned to protect the lakes and reservoirs in Upper South Platte River segments 18 and 19; Cherry Creek segment 5; Bear Creek segments 8 and 9; Clear Creek segments 17a, 20, 21, 22, 23, 24, and 25; Big Dry Creek segment 7; Boulder Creek segments 13, 14, 15, and 18; St. Vrain Creek segment 10; Cache la Poudre segments 16, 18, 19, 20, and 21; Laramie River segments 3 and 4; Lower South Platte River segments 3, 4, and 5; and Republican River segment 9. The 8 µg/L (cold water aquatic life) and 20 µg/L (warm water aquatic life) chlorophyll-a interim values at 31.17(d) were approved by EPA on July 14, 2016.
- Total phosphorus (TP) standards (equal to the 25 µg/L interim value in Regulation #31) were assigned to protect the cold water lakes/reservoirs in Upper South Platte River segments 18 and 19; Bear Creek segments 8 and 9; Clear Creek segments 17a, 20, 21, 22, 23, and 25; Boulder Creek segments 13, 14, 15, and 18; St. Vrain Creek segment 10; Cache la Poudre segments 18, 19, and 20; and Laramie River segments 3 and 4. The 25 µg/L TP interim value for cold lakes and reservoirs at Regulation 31.17(b) was approved by EPA on July 14, 2016.

<b>Segment</b>	<b>Acute Standard µg/L</b>	<b>Chronic Standard µg/L</b>	<b>Notes</b>
Upper South Platte 14	31.5	20.8	Downstream of Marcy Gulch
Upper South Platte 15	35.1	23.5	Downstream of Metro-Hite WWTF
Upper South Platte 16g	67.1	43.3	Downstream of Centennial WWTF
Middle South Platte 1a	35.1	23.5	

- Site-specific copper standards (Table 1) were adopted for Upper South Platte River segments 14, 15, and 16g, and Middle South Platte River segment 1a. In addition, the Commission reviewed but made no change to the site-specific copper standards adopted in December of 2014 for Big Thompson River segment 2 (acute = 11 µg/L, chronic = 7.5 µg/L). Since 2007, the EPA's recommended water quality criteria for copper have been expressed as a function of the biotic ligand model (BLM). Accordingly, the site-specific standards were derived using site-specific water quality data, BLM results (instantaneous water quality criteria), and set equal to the fixed monitoring benchmark (FMB). The FMB method uses a probability-based analysis of an ambient dataset to identify a fixed ambient copper concentration associated with an exceedance frequency of once in three years. The proposals were developed and submitted by the Metro Wastewater Reclamation District (Upper South Platte segment 15 and Middle South Platte segment 1a) and Centennial Water and Sanitation District (Upper South Platte segments 14 and 16g). In adopting these site-specific standards, the Commission emphasized its expectation that

the proponents will continue with ambient monitoring, BLM modeling, and analysis of model outputs to support the 2020 review of Regulation 38.

- Sunset dates (December 31, 2020) were added to the water effect ratio-based numeric standards for zinc assigned to Clear Creek segments 14a, 14b, and 15, each of which was adopted in the 1990s. The intent of the Commission in taking this action was to encourage completion of additional studies to support a review of the site-specific standards (e.g., has the ameliorating influence of site water chemistry on zinc toxicity changed significantly since the time of the WER studies).
- Ambient-based standards for selenium were adopted for Cherry Creek segment 4b based on evidence that the standards reflect naturally-occurring or irreversible human-induced water quality conditions (31.7(1)(1)(b)(ii)). In general, these revisions were supported by evidence demonstrating that existing conditions are a result of natural or irreversible man-induced water quality levels, but such levels are adequate to protect classified uses. Table value standards for selenium will continue to apply to waters downstream of these site-specific standards (such waters include Cherry Creek Reservoir). The Statement of Basis and Purpose establishes the Commission's intent that (1) Division actions to implement the standards are to assure that downstream uses and standards are protected and (2) additional biological and fish tissue data are to be gathered to support assessment decisions and inform future review of the ambient-based selenium standards. EPA concurs that additional data collection and review of the selenium standard for Cherry Creek segment 4b is warranted, and notes that in 2016 the Commission adopted fine-tuning changes to the ambient-based standards authorizing provision in Regulation 31 (e.g., clarifications regarding supporting information and data that are to be submitted). Generally, EPA recommends revisiting all ambient-based standards during each basinwide standards review (e.g., to consider any new information regarding the feasibility of reducing pollutant loadings), and expects that future new/revised ambient-based standards will address the new requirements.

The revisions to aquatic life-based numeric standards are consistent with the EPA's water quality standards regulation at 40 CFR § 131.11.

#### Revisions to Temporary Modifications

New or extended temporary modifications are summarized in Table 2. The revisions are consistent with Colorado's temporary modification general policy in Regulation #31, Section 31.7(3), which authorizes temporary modifications where the evidence demonstrates that several eligibility criteria are met. One such criterion is that the water quality standard is significantly uncertain. Additionally, each temporary modification proposal must include a plan for eliminating the temporary modification and a justification for the proposed expiration date. The EPA's regulation at 40 CFR § 131.13 provides that such general policies may be adopted at State discretion, and are subject to the EPA's review and approval.

Colorado's general policy has been approved by the EPA on multiple occasions, and most recently on August 4, 2011.

<b>Table 2</b>	
<b>Revisions to Temporary Modifications for Aquatic Life Parameters</b>	
<b>Deleted</b>	<b>New/Extended</b>
Upper South Platte 14 (copper), 15 (ammonia, copper), 16g (copper), 16i (copper, mercury)	Upper South Platte 10a (temperature), 14 (temperature), 15 (temperature), 16g (temperature)
	Cherry Creek 1 (copper)
	Bear Creek 1c (chlorophyll, total phosphorus)
Clear Creek 2a (cadmium), 9a (copper), 11 (cadmium), 14a (copper), 14b (copper), 15 (copper)	Clear Creek 2a (zinc), 2c (cadmium, copper), 7a and 7b (Cd, Cu, Fe, Pb, Hg, Ni, Ag, Zn, temperature), 11 (temperature), 13b (cadmium, temperature), 14a (temperature), 14b (temperature), 15 (temperature)
Boulder Creek 9 (copper)	Boulder Creek 8 (selenium), 9 (temperature)
St. Vrain 2b (copper), 6 (selenium)	
Middle South Platte 1a (ammonia, selenium), 4 (pH)	
Big Thompson 2 (D.O., NH <sub>3</sub> , Cd, Pb, Ni, Se, Ag, Zn), 5 (selenium)	Big Thompson 4b (selenium), 9 (selenium)
Cache La Poudre 11 (selenium), 12 (selenium)	Cache La Poudre 11 (temperature), 12 (temperature), 13b (selenium)
Lower South Platte 1 (selenium)	

#### REVISIONS WHERE THE EPA IS TAKING NO ACTION

- All segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold water aquatic life classification (110 µg/L TP) or a warm water aquatic life classification (170 µg/L TP); and
- All segment-specific TP numeric standards based on the interim value for lake/reservoir segments with a warm water aquatic life classification (83 µg/L TP).
- Revisions to 38.7 and Upper South Platte River segment 23 to clarify that Marston Forebay does not contain State waters. These revisions were adopted in response to a proposal submitted by Denver Water. The evidence supporting Denver Water's proposal included a 2013 Corps of Engineers jurisdictional determination that Marston Forebay is isolated, non-jurisdictional, and not regulated under the Clean Water Act. As noted in EPA's April 15, 2015 responsive comments, EPA has no authority to act on WQS revisions for such water bodies.