



WQCD Clean Water Fee Structure Feedback Summary Pesticides

This is an overview of feedback received for the pesticides workgroup. A similar summary will be published for each workgroup based on individual and group submissions. Comments and levels of agreement for large group policy considerations including statute vs. commission, general fund and the overall process will be shared in a separate full group summary.

RESPONDENT SUMMARY

Total number of respondents: **9**
(group = 4, individual =5)
Respondents who attended meetings: **78%**

In Colorado, the Colorado Department of Agriculture is the primary regulatory agency for pesticides. The Colorado Department of Agriculture, working in conjunction with EPA, is responsible for labeling, registrations, land applications, licensing and more. The Water Quality Control Division ONLY regulates pesticides as they apply to discharges to waters of the state. EPA is the regulatory agency in Colorado for discharges on federal lands/facilities and tribal lands/facilities.

The general assembly funded a permit structure with state general funding for the WQCD clean water program. Fees that the division can assess have been listed in statute (both fee category and amount) since 1983. Because pesticide permitting is part of the overall implementation of the clean water program by the division, this sector is included as part of the fee discussion.

Feedback themes—recommendations and policy considerations

Themes regarding group recommendations

- The majority of respondents agreed that the program should continue to exist and the current level of one FTE is appropriate.
- Fees should not be assessed to the for-hire applicator and fees should be effective no earlier than January 2016 and aligned with annual reporting deadlines.
- Most respondents agreed that fees should only be charged to decision makers who are reporting entities. The entities who disagreed with this were municipalities.
- Most respondents agreed or were neutral regarding the recommendation to come back to the table in three years or after EPA issues their new permit, whichever comes first.
 - In the meantime respondents agreed or were neutral towards implementing a fee of \$275 for reporting entities.
- Most respondents agreed or were neutral regarding the recommendation to take no action, keep general fund and program status quo.



Themes: policy considerations

- The majority of respondents indicated that fees should *not* be established by WQCC.
- No common theme regarding how fees should be structured in statute.

Themes: general fund

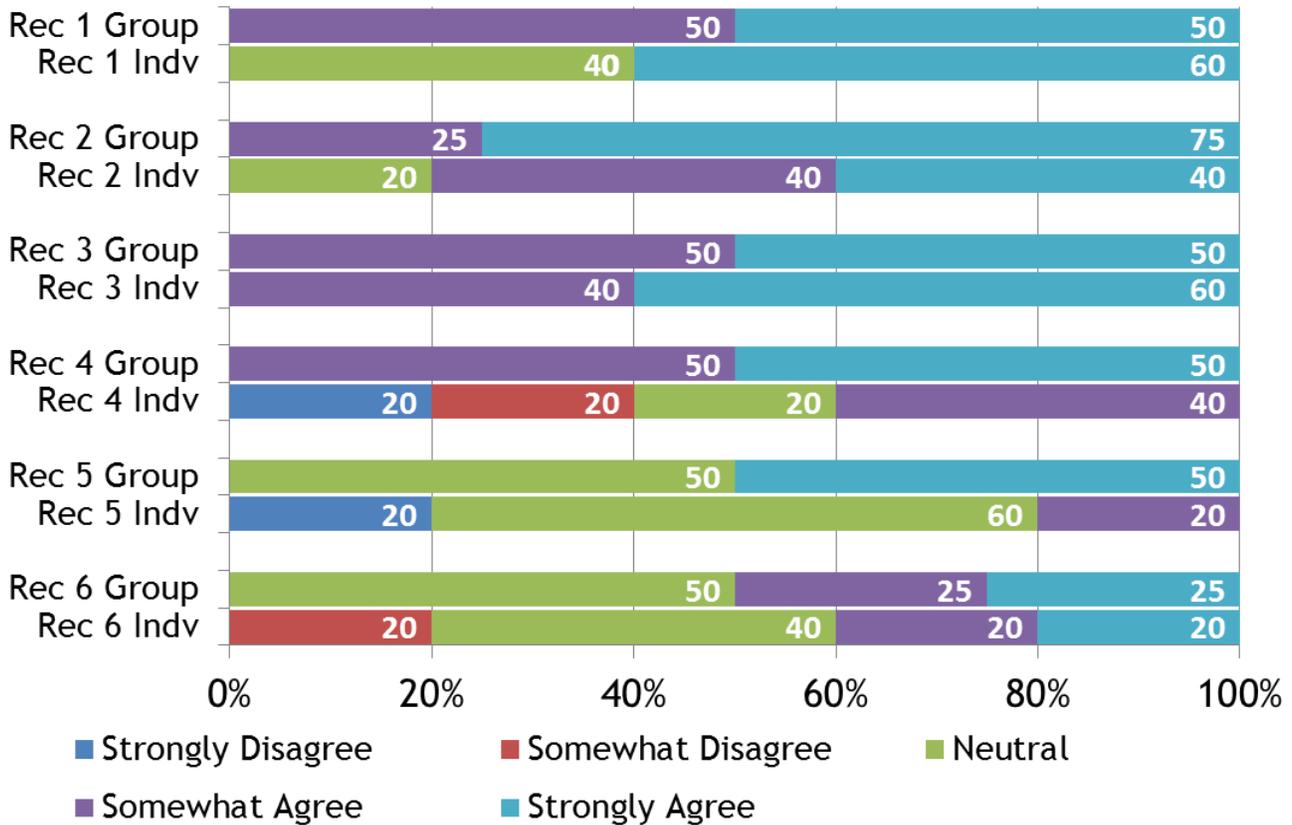
- All respondents felt strongly that the program should not be completely cash funded.
- The majority of respondents disagreed with general funds being specifically allocated to governmental entities or small entities.



Workgroup Recommendations

Each workgroup created a set of recommendations. Below is a summary on the average level of agreement (or not) with each of the recommendations.

Level of agreement (%) on workgroup recommendations listed by group and individual submissions.



Recommendation	Outcome
1. The program should continue to exist and the current level of one FTE is appropriate.	More than 50% of individual and groups agree.
2. Don't bill the for-hire applicator.	80% agreement.
3. Any fee assessed should be effective no earlier than January 2016 and aligned with annual reporting timelines.	100% agreement.
4. Only assess a fee on decision makers who are reporting entities.	Individuals were split in their level of agreement for this recommendation, groups were in 100% agreement.
5. Come back to the table in three years or after the EPA issues their new permit, whichever comes first. In the meantime, the division can implement a fee of \$275 for reporting entities which amounts to approximately 13% of the total program cost.	Mostly neutral.
6. No action, keep general fund and program status quo.	Split between neutral and agree.