

**Colorado Department of Public Health and Environment  
WATER QUALITY CONTROL COMMISSION**

**M E M O R A N D U M**

**TO:** All Interested Persons  
**FROM:** Paul Frohardt  
**DATE:** December 14, 2012  
**SUBJECT:** Cancellation of 2014 Section 303(d) Listing Process

In response to a recommendation by the Water Quality Control Division, at its meeting on December 10, 2012, the Water Quality Control Commission agreed that the March 2013 Section 303(d) Listing Methodology Administrative Action Hearing and the December 2013 Regulation #93 Rulemaking Hearing will be cancelled, and that no 2014 update of the Colorado Section 303(d) List will be prepared. The attached memo from Steve Gunderson to the Commission sets forth the basis for the Division's recommendation.

Should anyone have questions regarding this matter, please feel free to contact me at [paul.frohardt@state.co.us](mailto:paul.frohardt@state.co.us).

cc: Water Quality Control Commission

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Colorado Department  
of Public Health  
and Environment

## MEMORANDUM

**TO:** Water Quality Control Commission

**CC:** Water Quality Forum, 2014 Section 303(d) Listing Methodology Workgroup

**FROM:** Steve Gunderson, Director   
Water Quality Control Division

**RE:** Proposal to Cancel the 2014 Section 303(d) Listing Process

Due to additional and significant resource demands on the Water Quality Control Division related to review of Section 401 Certifications, the Division is proposing that the Commission cancel the 2014 Section 303(d) Listing Process. The Governor has recently identified the need for additional water supply projects as a high priority. Without additional resources to review those water supply projects, the Division must shift staff responsibilities and priorities to review those projects. The Division proposes that both the 2014 Section 303(d) Listing Methodology Administrative Action Hearing scheduled for March 2013 and the Regulation No.93 Rulemaking Hearing on Colorado's 2014 Section 303(d) List of Impaired Waters and Monitoring and Evaluation List scheduled for December 2013 be canceled.

The Division recognizes that there are consequences to canceling the hearing including resolution of provisional aquatic life listings issues and other issues remaining from the 2012 Section 303(d) hearing, as well as commitments made to EPA regarding assessment of streams for nutrient impairment based on the narrative standard. However, in light of increased work load demands the Division does not have the resources to address these issues at this time.

In the interim, the Division intends to continue its work on refinement of the Section 303(d) Listing Methodology nutrient narrative assessment with the Water Quality Forum work group over the next two years at a low level as resources and timing constraints permit. The Division will continue to work with stakeholders on specific issues and anticipates this work will culminate in a spring 2015 Administrative Action Hearing to consider the 2016 Section 303(d) Listing Methodology and a December 2015 Rulemaking Hearing to consider revisions to Colorado's 2016 Section 303(d) List.