

STATE OF COLORADO

Bill Ritter, Jr., Governor
James B. Martin, Executive Director

WATER QUALITY CONTROL COMMISSION

<http://www.cdphe.state.co.us/op/wqcc/index.html>

4300 Cherry Creek Dr. South
Denver, Colorado 80246-1530
Phone (303) 692-3463
Fax (303) 691-7702



**Colorado
Department
of Public Health
and Environment**

NOTICE OF PUBLIC RULEMAKING HEARING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

SUBJECT:

For consideration of the adoption of revisions to current temporary modifications of water quality standards expiring on or before December 31, 2011, for multiple segments in the Classifications and Numeric Standards for Arkansas River Basin, Regulation #32 (5 CCR 1002-32); in the Classifications and Numeric Standards for Upper Colorado River Basin and North Platte River (Planning Region 12), Regulation #33 (5 CCR 1002-33); in the Classifications and Numeric Standards for San Juan River and Dolores River Basins, Regulation #34 (5 CCR 1002-34); in the Classifications and Numeric Standards for Gunnison and Lower Dolores River Basins, Regulation #35 (5 CCR 1002-35); in the Classifications and Numeric Standards for Rio Grande River Basin, Regulation #36 (5 CCR 1002-36); in the Classifications and Numeric Standards for Lower Colorado River Basin, Regulation #37 (5 CCR 1002-37); and in the Classifications and Numeric Standards for South Platte River Basin, Laramie River Basin, Republican, Smoky Hill River Basin, Regulation #38 (5 CCR 1002-38). The revisions proposed by the Water Quality Control Division as staff to the Commission, along with proposed Statements of Basis, Specific Statutory Authority, and Purpose, are attached to this Notice as Exhibits 1, 2, 3, 4, 5, 6 and 7, respectively. In these attachments, proposed new language is shown with double-underlining and proposed deletions are shown with ~~strikeouts~~. Any alternative proposals related to current temporary modifications identified in Exhibits 1 through 7, with expiration dates on or before December 31, 2011, will also be considered.

HEARING SCHEDULE:

DATE: Monday, December 14, 2009
TIME: 10:00 a.m.
PLACE: Florence Sabin Conference Room
Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246

PUBLIC PARTICIPATION ENCOURAGED:

The Commission encourages all interested persons to provide their opinions or recommendations regarding the matters to be addressed in this rulemaking hearing, either orally at the hearing or in writing prior to or at the hearing. Although oral testimony from those with party status (see below) and other interested persons will be received at the hearing, the time available for such oral testimony may be limited. Written submissions prior to the hearing are encouraged, so that they can be distributed to the Commission for review prior to the hearing. Oral testimony at the hearing should primarily summarize written material previously submitted. The hearing will emphasize Commission questioning of parties and other interested persons about their written prehearing submittals. Introduction of written material at the hearing by those with party status or mailing list status (see below) generally will not be permitted. The Commission requests that all interested persons submit to the Commission Office any available information that may be relevant in considering the noticed proposals.

PARTY STATUS/MAILING LIST STATUS:

Participation as a "party" to this hearing or acquisition of "mailing list status," will require compliance with section 21.3(D) of the Procedural Rules, Regulation #21 (5 CCR 1002-21). Mailing list status will allow receipt of all party documents (except individual exhibits more than five pages in length).

It is not necessary to acquire party status or mailing list status in order to testify or comment. **For each request for party status or mailing list status, please provide the organization's name, a contact person, mailing address, phone number, fax number and email address if available.** Written party status or mailing list status requests are due in the Commission Office on or before:

DATE: Tuesday, September 29, 2009
TIME: 5:00 p.m.

A single copy of the party status or mailing list status request may be transmitted as an email attachment to cdphe.wqcc@state.co.us, submitted by fax to 303-691-7702, mailed or otherwise conveyed so as to be received in the Commission Office no later than this deadline. PLEASE NOTE that, as indicated below, parties will have the option of distributing materials to other parties electronically, except in instances where a party has requested receiving hard copies of documents. Therefore, **anyone requesting party or mailing list status that wishes to receive hard copies of documents instead of emailed copies should so indicate in the party status/ mailing list status request so that this information can be included on the list distributed by the Commission Office.**

PREHEARING STATEMENTS:

PLEASE NOTE that for this hearing two separate deadlines for prehearing statements are established: (1) An original and 13 copies of a **Proponent's Prehearing Statement** from the **Water Quality Control Division, as proponent of the revisions proposed in Exhibits 1 through 7 attached to this notice**, including written testimony and exhibits providing the basis for the proposals, must be received in the Commission Office no later than **October 6, 2009**; and (2) an original and 13 copies of a **Responsive Prehearing Statement**, including any exhibits, written testimony, and alternative proposals of the Water

Quality Control Division or **anyone seeking party status and intending to respond to the proponent's proposals** must be received in the Commission Office no later than **October 27, 2009**.

For each deadline, the required number of hard copies of documents must be received in the Commission office by the specified deadline. These requirements are not satisfied by electronic transmission of a facsimile copy or copies. However, **parties are also strongly encouraged to email a copy of their written documents to the Commission Office**, so that materials received can be posted on the Commission's web site. (Please email to cdphe.wqcc@state.co.us.) In addition, copies of these documents must be mailed or hand-delivered by the specified dates to all persons requesting party status or mailing list status, and to the Attorney General's Office representatives for the Commission and the Division, in accordance with a list provided by the Commission Office following the party status/ mailing list status deadline. **Alternatively, parties may email documents to those with party status or mailing list status by the specified dates**, except to those that the list distributed by the Commission Office identifies as requesting hard copies.

Also **note** that the Commission has prepared a document entitled **Information for Parties to Water Quality Control Commission Rulemaking Hearings**. A copy of this document will be mailed or emailed to all persons requesting party status or mailing list status. It is also posted on the Commission's web site at <http://www.cdphe.state.co.us/op/wqcc/PublicParticipation/HBappC.pdf>. Following the suggestions set forth in this document will enhance the effectiveness of parties' input for this proceeding. **Please note the request that all parties submit two-sided copies of all hearing documents on three-hole punch paper.**

MAILING LIST STATUS COMMENTS:

Those requesting mailing list status shall provide written testimony, if any testimony is to be offered for the hearing, by the above deadline for responsive prehearing statements – i.e., **October 27, 2009**. Copies shall be submitted and distributed in the same manner as noted above for prehearing statements.

PREHEARING CONFERENCE:

DATE: Tuesday, November 3, 2009
TIME: 2:00 p.m.
PLACE: Board Room, Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado

Attendance at the prehearing conference is mandatory for all persons requesting party status. An opportunity may be available to participate in this prehearing conference by telephone. Persons wishing to participate by telephone should notify the Commission Office as early as possible.

REBUTTAL STATEMENTS:

Written rebuttal statements responding to the prehearing statements due on October 27, 2009 may be submitted by anyone seeking party status or mailing list status. Any such rebuttal statements must be received in the Commission Office by **December 2, 2009**.

An original and 13 copies of written rebuttal statements must be received in the Commission Office by this deadline, and submission of an emailed copy as noted above is strongly encouraged. In addition, copies of these documents must be mailed or hand-delivered by that date to all those requesting party status or mailing list status, and to the Attorney General's Office representatives for the Commission and Division. **Alternatively, parties may email documents to those with party status or mailing list status by this deadline**, except to those that the list distributed by the Commission Office identifies as requesting hard copies. No other written materials will be accepted following this deadline except for good cause shown.

SPECIFIC STATUTORY AUTHORITY:

The provisions of Sections 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; C.R.S. provide the specific statutory authority for consideration of the regulatory amendments proposed by this notice. Should the Commission adopt the regulatory language as proposed in this notice or alternative amendments, it will also adopt, in compliance with section 24-4-103(4) C.R.S., an appropriate Statement of Basis, Specific Statutory Authority, and Purpose.

NOTIFICATION OF POTENTIAL MATERIAL INJURY TO WATER RIGHTS:

In accordance with section 25-8-104(2)(d), C.R.S., any person who believes that the actions proposed in this notice have the potential to cause material injury to his or her water rights is requested to so indicate in the party status request submitted. In order for this potential to be considered fully by the Commission and the other agencies listed in the statute, persons must fully explain the basis for their claim in their prehearing statement which is due in the Commission Office on the date specified above. This explanation should identify and describe the water right(s), and explain how and to what degree the material injury will be incurred.

Dated this 12th day of August 2009 at Denver, Colorado.

WATER QUALITY CONTROL COMMISSION

Paul D. Frohardt, Administrator

EXHIBIT 1

WATER QUALITY CONTROL DIVISION

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 7		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: MIDDLE ARKANSAS RIVER				PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description										
2.	Mainstem of the Arkansas River from the outlet of Pueblo Reservoir to a point immediately above the confluence with Wildhorse/Dry Creek Arroyo.		Aq Life Cold 1 Water Supply Agriculture	D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification type (i): NH₃(ac/ch)=TVS (old)(type i) Expiration date of 12/31/2014
3.	Mainstem of the Arkansas River from a point immediately above the confluence with Wildhorse/Dry Creek Arroyo to a point immediately above the confluence with Fountain Creek, Valco Ponds and Fountain Lake.		Aq Life Warm 1 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=TVS(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac)=50.9 Se(ch)=17.4 Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification type (i): NH ₃ (ac/ch)=TVS (old) Expiration date of 12/31/2011
4c.	Mainstem of Chico Creek, including all tributaries, wetlands, lakes and reservoirs, from the source to the confluence with the Arkansas River.		Aq Life Warm 1 Recreation E Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011	CN=0.005 S=0.002 B=0.75 NO ₂ =0.5	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification type (iii): NH ₃ (ac/ch)=Existing Quality Expiration date of 12/31/2011
9.	Mainstem of Greenhorn Creek, from a point immediately below the Greenhorn Highline (Hayden Supply Ditch) diversion dam, to the confluence with the Saint Charles River.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =700	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modifications: type (iii) Se(ch)=8.6. Expiration date of 12/31/2012. NH ₃ (ac/ch)=TVS (old)(type i) Expiration date of 12/31/2011
14.	Mainstem of the Cucharas River from the point of diversion for the Walsenburg public water supply to the outlet of Cucharas Reservoir.		Aq Life Warm 1 Recreation E Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011	CN=0.005 S=0.002 B=0.75 NO ₂ =0.5	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (iii) Se(ch)=6.0 Expiration date of 12/31/2012. NH₃(ac/ch)=TVS (old)(type i) Expiration date of 12/31/2014

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 4 & 7 BASIN: FOUNTAIN CREEK Stream Segment Description	Desig	Classifications	NUMERIC STANDARDS			TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l	

2a. Mainstem of Fountain Creek from a point immediately above the confluence with Monument Creek to a point immediately above the State Highway 47 Bridge.		Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =1.0 NO ₃ =10 Cl=250 SO ₄ =330	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)= 1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)**	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac)=TVS Se(ch)=8 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac/ch)=TVS (old). Expiration date of 12/31/2012. Type (iii): Cu(ac/ch)=current condition, Expiration date of 12/31/2014
6. Mainstem of Monument Creek, from the boundary of National Forest lands to the confluence with Fountain Creek.		Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =329	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1430(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (iii): Cu(ac/ch)=current condition, Expiration date of 12/31/2014 NH ₃ (ac/ch)=TVS (old)(type i) Expiration date of 12/31/2011

**Dissolved Mn point of compliance at Pinello Ranch Clear Well in NW ¼ of SW ¼ of sec. 11, T15S, R66W.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 4 & 7 BASIN: LOWER ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS			TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l	
Stream Segment Description						

1a. Mainstem of the Arkansas River from a point immediately above the confluence with Fountain Creek to immediately above the Colorado Canal headgate near Avondale.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =329	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=2765(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac)=19.1 Se(ch)=14.1 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (i) Se(ac/ch) = existing quality; SO ₄ = existing quality. Expiration date of 12/31/2012. NH ₃ (ac/ch)=TVS (old)(type i) Expiration date of 12/31/2011
1b. Mainstem of the Arkansas River from the Colorado Canal headgate to the inlet to John Martin Reservoir.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =902	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)= 1950(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications type (iii): Se(ch)="current condition" Expiration date of 12/31/2012 NH ₃ (ac/ch)=TVS (old)(type i) Expiration date of 12/31/2011 Water + Fish Standards Apply.
7. Mainstem of the Purgatoire River from Interstate 25 to the confluence with the Arkansas River.		Aq Life Warm 1 Recreation E Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011	CN=0.005 S=0.002 B=0.75 NO ₂ =0.5	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications type (iii): Se(ch)=6.4, Expiration date of 12/31/2012. NH ₃ (ac/ch)=TVS (old)(type i) Expiration date of 12/31/2011

WQCD PROPOSED

**32.44 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND
PURPOSE DECEMBER 2009 RULEMAKING REGARDING TEMPORARY
MODIFICATIONS; FINAL ACTION FEBRUARY 8, 2010; EFFECTIVE DATE
MARCH 30, 2010**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modifications of ammonia standards on nine segments were reviewed.

Deleted: Ammonia temporary modifications were deleted on the following segments because in most cases permits had recently been reissued for dischargers on the segments. Compliance schedules in the permits are adequate to address any necessary treatment plant upgrade issues. In other cases, no permits now discharge to this segment.

Middle Arkansas Segments 2 and 14

No action: The Commission took no action on the ammonia temporary modifications on the following segments. These will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

Middle Arkansas Segments 3, 4c, and 9
Fountain Creek Segment 6
Lower Arkansas Segments 1a, 1b, and 7

Other Parameters: The type iii temporary modifications of the copper standards for Fountain Creek segments 2a and 6 were also reviewed and extended. The Tri-Lakes Wastewater Treatment Facility; Upper Monument Creek Regional Wastewater Treatment Facility; Security Sanitation District; and Fountain Sanitation District are still in the process of evaluating the Biotic Ligand Model (for possible development of site-specific copper standards. Additional time is needed to wait for EPA's guidance on use of the BLM to develop site-specific criteria. An expiration date of 12/31/2014 was selected since other dischargers, also waiting on EPA's guidance have that deadline. If site-specific standards proposal can be developed more quickly the Commission is not averse to addressing this issue sooner.

EXHIBIT 2

WATER QUALITY CONTROL DIVISION

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:12	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Yampa River			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
Stream Segment Description									
13d. Mainstem of Dry Creek, including all tributaries and wetlands, from the source to the confluence with the Yampa River near Hayden.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II)°C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification. NH₃(ac)=TVS(eld), NH₃(ch)=0.02 (Type i) Expiration date of 12/31/2011. Temporary modification. Fe(ch): "existing quality" (Type iii) Expiration date of 5/31/2011.
13e. Mainstems of Sage Creek and Grassy Creek, including all tributaries and wetlands, from their sources to the confluence with the Yampa River.	UP	Aq Life Warm 2 Recreation N Agriculture	T=TVS(WS-II)°C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification. Fe(ch): "existing quality" (Type iii) Expiration date of 5/31/2011.

WQCD PROPOSED

33.45 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE
DECEMBER 2009 RULEMAKING REGARDING TEMPORARY MODIFICATIONS FINAL
ACTION FEBRUARY 8, 2010; EFFECTIVE DATE MARCH 30, 2010

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modification of the ammonia standard on Yampa River segment 13d was deleted because the Town of Hayden's permit had recently been reissued. Compliance schedules in recently issued permits are adequate to address any necessary treatment plant upgrade issues.

Other Parameters: The temporary modifications of the iron standard for Yampa River segments 13d and 13e were reviewed. The Commission took no action on these temporary modifications which will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

EXHIBIT 3

WATER QUALITY CONTROL DIVISION

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 9 BASIN: SAN JUAN RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
				mg/l		ug/l			
Stream Segment Description									
11a. All tributaries to the San Juan River, including wetlands, lakes, and reservoirs, from Fourmile Creek to the Southern Ute Indian Reservation boundary except for the specific listings in Segments 1, 4, 5, 6a, 6b, 9a and 9b.		Aq Life Warm 1 Agriculture Nov. 1 to April 30 Recreation N May 1 to Oct. 31 Recreation E	D.O. = 5.0 mg/l pH = 6.5-9.0 Nov. 1 to April 30 E.Coli=630/100ml May 1 to Oct. 31 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification: Fe(ch)=1100. Expiration date of 12/31/11.

REGION: 9 BASIN: ANIMAS AND FLORIDA RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
	Stream Segment Description				mg/l		ug/l		
2. Mainstem of the Animas River, including all tributaries and wetlands, from the outlet of Denver Lake to a point immediately above the confluence with Maggie Gulch, except for specific listings in Segment 6.	UP	Recreation E Agriculture	D.O. = 3.0 mg/l pH = 5.8-9.0 E.Coli=126/100ml	CN(ac)=0.2 NO ₂ (ac)=10 NO ₃ (ch)=100	B(ch)=0.75	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) The concentration of dissolved aluminum, cadmium, copper, iron, lead,manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 3a, 4a and 4b.	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification: existing ambient quality for all metals. Expiration date of 12/31/11.
3a. Mainstem of the Animas River, including wetlands, from a point immediately below the confluence with Maggie Gulch to immediately above the confluence with Cement Creek.		Aq Life Cold 1 Recreation E Agriculture	D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=T VS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75	Al(ac/ch)=750(Trec) As(ac)=340 As(ch)=100(Trec) Cd(ac)=TVS(tr) CrIII(ac/ch)=TVS Cu(ac/ch)=TVS Standards for Cd, Mn and Zn are listed on Table 1.	CrVI(ac/ch)=TVS Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Hg(ch)=0.01(tot)	Se(ac/ch)=TVS Ni(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr)	Aquatic life indicator goal: Brook Trout. Temporary modifications for: Cd(ch)=3.0 Mn(ch)=3203 Zn(ch)=862 Expiration date of 12/31/11.
3b. Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Cement Creek to a point immediately above the confluence with Mineral Creek.	UP	Sept. 11 to May 14 Recreation N May 15 to Sept. 10 Recreation E	D.O. = 3.0 mg/l pH = 6.0-9.0 Sept. 11 to May 14 E.Coli=630/100ml May 15 to Sept. 10 E.Coli=126/100ml			The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.			Temporary modification: Existing ambient quality for all metals. Expiration date of 12/31/11.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Region: 9		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: ANIMAS AND FLORIDA RIVER				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS				
Stream Segment Description						ug/l				
3c.	Arrastra Gulch including all lakes, tributaries, and wetlands from the source to the confluence with the Animas River.	UP	Aq Life Cold 2 Recreation E Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modifications: Cu(ch)=6.6 Zn(ch)=184 no Cu, Zn acute. Expiration date of 12/31/11.
4a.	Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Mineral Creek to a point immediately above the confluence with Deer Park Creek.	UP	Aq Life Cold 2 Recreation E Agriculture	D.O. = 6.0 mg/l D.O.(sp)=7.0 mg/l E.Coli=126/100ml Standards for pH are listed on Table 1.	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75	As(ch)=100(Trec) As(ac)=340 Cu(ac/ch)=TVS Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Standards for Al, Fe and Zn are listed on Table 1.	Se(ac/ch)=TVS Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr)	Aquatic life indicator goal: Brook Trout Temporary modifications: Al(ch)=2523(Trec) Fe(ch)=4204(Trec) Zn(ch)=730 Cu(ch)=20 Cd(ch)=2.5 pH=5.3 Expiration date of 12/31/11.
4b.	Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Deer Park Creek to Bakers Bridge.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O. = 6.0 mg/l D.O.(sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	Al(ac/ch)=TVS As(ch)=0.02(Trec) As(ac)=340 Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Ni(ac/ch)=TVS	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification: Zn(ch)=184 Expiration date of 12/31/11.
7.	Mainstem of Cement Creek, including all tributaries, wetlands, lakes, and reservoirs, from the source to the confluence with the Animas River.	UP	Recreation E Agriculture	D.O. = 3.0 mg/l pH = 3.7-9.0 E.Coli=126/100ml	CN(ac)=0.2 NO ₂ (ac)=10 NO ₃ (ac)=100	B(ch)=0.75	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification: existing ambient quality for all metals. Expiration date of 12/31/11.
8.	Mainstem of Mineral Creek, including wetlands, from the source to a point immediately above the confluence with South Mineral Creek. All tributaries on the east side of this segment of Mineral Creek including wetlands, lakes and reservoirs except for Big Horn Creek. Mainstem of the Middle Fork of Mineral Creek including all tributaries, wetlands, lakes and reservoirs from the source to the confluence with Mineral Creek except for Crystal Lake and its exiting tributary to confluence with Middle Fork of Mineral Creek.	UP	Recreation E Agriculture	D.O. = 3.0 mg/l pH = 4.5 - 9.0 E.Coli=126/100ml	CN(ac)=0.2 NO ₂ (ac)=10 NO ₃ (ac)=100	B(ch)=0.75	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification: existing ambient quality for all metals. Expiration date of 12/31/11.
9.	Mainstem of Mineral Creek, including wetlands, from immediately above the confluence with South Mineral Creek to the confluence with the Animas River.	UP	Aq Life Cold 2 Recreation E Agriculture	D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l E.Coli=126/100ml Standards for pH are listed on Table 1.	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ch)=100(Trec) As(ac)=340 Cd(ac/ch)=TVS(tr) CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Zn(ac)=TVS Standards for Al, Cu, Fe and Zn are listed on Table 1.	Cu(ac)=TVS Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr)	Temporary modifications: Al(ch)=3544(Trec) Cu(ch)=22 Fe(ch)=5023(Trec) Zn(ac/ch)=340 Expiration date of 12/31/11. Aquatic Life indicator goal: Macroinvertebrates; Brook Trout corridor

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 9 BASIN: LA PLATA RIVER, MANCOS RIVER, McELMO CREEK, AND SAN JUAN RIVER IN MONTEZUMA COUNTY AND DOLORES COUNTY	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l			METALS ug/l			
Stream Segment Description										
3a. All tributaries to the La Plata River, including all wetlands, lakes and reservoirs, from the Hay Gulch diversions south of Hesperus to the Southern Ute Indian Reservation boundary.	UP	Aq Life Warm 2 Recreation N Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(c/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Mn(ac/ch)=TVS Pb(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: Fe(ch)=1920. Expiration date of 12/31/11.	
5a. Mainstem of the Mancos River from Hwy 160 to the boundary of the Ute Mountain Indian Reservation and mainstem of Weber Canyon from source to confluence with Mancos River.		Aq Life Warm 2 Agriculture Nov. 1 to April 30 Recreation N May 1 to Oct. 31 Recreation E	D.O. = 5.0 mg/l pH = 6.5-9.0 Nov. 1 to April 30 E.Coli=630/100ml May 1 to Oct. 31 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: NH3=old TVS. Expiration date 12/31/2011.	
7a. Mainstem of McElmo Creek from the source to the Colorado/Utah border, except for the specific listings in Segment 7b. Mainstem of Yellow Jacket Creek, including all tributaries, wetlands, lakes and reservoirs, from the source to the confluence with McElmo Creek.		Aq Life Warm 1 Recreation E Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=2200(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: NH3=old TVS, Expiration date of 12/31/2011.	
8a. All tributaries to McElmo Creek, including all wetlands, lakes and reservoirs, from the source to the Colorado/Utah border, except for specific listings in Segments 7a, 8b, 8c and 11.	UP	Aq Life Warm 2 Recreation E Agriculture	D.O. = 5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(c/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Mn(ac/ch)=TVS Pb(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: NH3=old TVS, Fe(ch)=1500(trec) expiration date 12/31/2011.	
8c. Unnamed tributary to Ritter Draw.	UP	Aq Life Warm 2 Recreation E Agriculture	D.O. = 5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(c/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Mn(ac/ch)=TVS Pb(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: NH3=existing quality. Expiration date 12/31/2013.	

TABLE 1
ANIMAS RIVER BASIN
AQUATIC LIFE INDICATOR GOAL: BROOK TROUT

Segment 3a
Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Zn	720	780	1060	1200	760	410	280	340	380	440	510	590

Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Cd	TVS	TVS	TVS	3.5	2.2	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Mn	TVS	TVS	2571	2179	TVS	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Zn	720	780	1060	1200	760	410	280	340	380	440	510	590

Segment 4a

Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Al(Trec)	3100	3550	2800	2020	1010	740	700	1360	1490	1610	2280	2570
Zn	460	520	620	570	430	250	170	240	290	340	380	420

Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
pH	5.9-9.0	5.7-9.0	6.2-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	5.9-9.0
Al(Trec)	3100	3550	2800	2020	1010	740	700	1360	1490	1610	2280	2570
Fe	3473	2961	3776	3404	2015	1220	1286	1830	1623	2258	2631	3511
Zn	460	520	620	570	430	250	170	240	290	340	380	420

Segment 9

Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Al(Trec)	4680	4950	4560	3800	1390	1350	1290	2040	2570	2680	3450	4050

Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
pH	4.9-9.0	4.8-9.0	4.9-9.0	5.9-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.2-9.0	5.4-9.0
Al(Trec)	4680	4950	4560	3800	1390	1350	1290	2040	2570	2680	3450	4050
Cu	TVS	TVS	TVS	18	20	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Fe	3420	3800	4370	3370	3150	2210	2275	2280	3020	3580	3620	3490
Zn	TVS	TVS	TVS	TVS	230	TVS	TVS	TVS	TVS	TVS	TVS	TVS

WQCD PROPOSED

34.33 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 2009 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; FINAL ACTION FEBRUARY 8, 2010; EFFECTIVE DATE MARCH 30, 2010

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modifications of ammonia standards on four segments were reviewed.

Deleted: Ammonia temporary modifications were deleted on the following segments because in most cases permits had recently been reissued for dischargers on the segments. Compliance schedules in the permits are adequate to address any necessary treatment plant upgrade issues. In other cases, no permits now discharge to this segment.

La Plata River Segments 5a and 8a

No action: The Commission took no action on the ammonia temporary modifications on the following segments. These will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

La Plata River Segments 7a and 8c

Other Parameters: The following temporary modifications were also reviewed. The Commission took no action on these temporary modifications which will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

San Juan River segment 11a	iron
Animas River segments 2, 3b, 7, 8	all metals
Animas River segment 3a	copper, manganese, zinc
Animas River segment 3c	copper, zinc
Animas River segment 4a	aluminum, cadmium, copper, iron, zinc, pH
Animas River segment 4b	zinc
Animas River segment 9	aluminum, copper, iron zinc
La Plata River segments 3a and 8a:	iron

EXHIBIT 4

WATER QUALITY CONTROL DIVISION

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l				
BASIN: Upper Gunnison River Basin										
Stream Segment Description										
8. Mainstem of the Slate River from a point immediately above the confluence with Coal Creek to the confluence with the East River.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Cd(ch)=0.4 Expiration date of 12/31/2011.	
12. Mainstem of Coal Creek, including all tributaries and wetlands from a point immediately below the Crested Butte Water Supply intake which is above the confluence with the Mount Emmons/Red Lady Basin drainage to the confluence with the Slate River, with the exception of Wildcat Creek.		Aq Life Cold 1 Recreation E Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac)/(ch)=TVS	Temporary Modifications: Cd(ch)=2.3 Zn(ch)= 518 Expiration date of 12/31/2011.	
16. Mainstem of Ohio Creek, including all tributaries, lakes, reservoirs, and wetlands, from the sources to the confluence with the Gunnison River with the exception of Segment 2.		Aq Life Cold 1 Recreation U Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac)=TVS Zn(ch)=TVS(sc)	Temporay Modification: Zn(ch)= 11.9 Expiration date 12/31/2011.	

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
BASIN: North Fork of the Gunnison River									
Stream Segment Description									
3. Mainstem of North Fork of the Gunnison River from the Black Bridge (41.75 Drive) above Paonia to the confluence with the Gunnison River.		Aq Life Cold 1 Agriculture Oct. 1 to March 31 Recreation N April 1 to Sept. 30 Recreation E	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 Oct. 1 to March 31 E.Coli=630/100ml April 1 to Sept. 30 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=5.7 Expiration date 12/31/2011.
5. Mainstems of Hubbard Creek, Terror Creek, Minnesota Creek, and Leroux Creek from their boundary with national forest land to their confluences with the North Fork of the Gunnison River; mainstem of Jay Creek from its source to its confluence with the North Fork of the Gunnison River; mainstem of Roatcap Creek including all tributaries, wetlands, lakes and reservoirs, from its source to its confluence with the North Fork of the Gunnison.		Aq Life Cold 1 Recreation P Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=existing ambient quality Expiration date of 12/31/2011.
6b. Mainstem and all tributaries to Bear Creek, Reynolds Creek, Bell Creek, McDonald Creek, Cottonwood Creek, Love Gulch, Cow Creek, Dever Creek, German Creek, Miller Creek, Stevens Gulch, Big Gulch, Stingley Gulch and Alum Gulch including lakes, reservoirs, and wetlands which are not on national forest lands from their source to the North Fork of the Gunnison River.	UP	Aq Life Warm 2 Recreation P Water Supply Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ (ac)=10 Cl(ch)=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVSCrII I(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: Fe(ch)(Trec)=existing ambient quality Se(ch)=existing ambient quality Expiration date of 12/31/2011. Water+Fish Standards

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l				
BASIN: Uncompahgre River										
Stream Segment Description										
3a. Mainstem of the Uncompahgre River from a point immediately above the confluence with Red Mountain Creek to the Highway 90 bridge at Montrose.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=WS(dis) Fe(ch)=1500(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modifications: Cd(ch)=1.1 Fe(Trec)=1673 Expiration date of 12/31/2011.	
4a. Mainstem of the Uncompahgre River from the Highway 90 bridge at Montrose to La Salle Road.	UP	Aq Life Warm 2 Recreation E Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=2250(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: NH ₃ (ac/ch)=TVS(old) Expiration date of 12/31/2011.	
4b. Mainstem of the Uncompahgre River from La Salle Road to Confluence Park.	UP	Aq Life Warm 2 Recreation N Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=2250(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: NH ₃ (ac/ch)=TVS(old) Se(ch)=20 Expiration date of 12/31/2011.	
4c. Mainstem of the Uncompahgre River from Confluence Park to the confluence with the Gunnison River.	UP	Aq Life Warm 2 Recreation E Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=2250(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: Se(ac/ch)=20. Expiration date of 12/31/2011.	
12. All tributaries to the Uncompahgre River, including all wetlands, lakes and reservoirs, from the South Canal near Uncompahgre to the confluence with the Gunnison River, except for specific listings in Segments 13, 14, 15a and 15b.	UP	Aq Life Warm 2 Recreation N Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1200 (Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: Se(ch)=existing ambient quality. Expiration date of 12/31/2011.	

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
BASIN: Lower Gunnison River									
Stream Segment Description									
2. Mainstem of the Gunnison River from a point immediately above the confluence with the Uncompahgre River to the confluence with the Colorado River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =480	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: NH ₃ (ac/ch)= TVS(old) Se(ch)=8.4 Expiration date of 12/31/2011.
4a. All tributaries to the Gunnison River, including all wetlands which are not on national forest lands, from the outlet of Crystal Reservoir to the confluence with the Colorado River, except for specific listings in the North Fork and Uncompahgre River subbasins and in Segments 3, 4b, 4c, 5 through 10, 12 and 13.	UP	Aq Life Warm 2 Recreation N Water Supply Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: NH ₃ (ac/ch)=TVS(old) Se(ch)=existing ambient quality. Expiration date of 12/31/2011.
4b. All lakes and reservoirs that are tributary to the Gunnison River and not on national forest lands from the outlet of Crystal Reservoir to the confluence with the Colorado River, including all tributaries to Reeder, Hollenbeck, and Juniata Reservoirs, except for specific listings in the North Fork and Uncompahgre River subbasins and in segments 9 and 13. Kannah Creek below the point of diversion for public water supply.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=existing ambient quality. Expiration date of 12/31/2011.
7. Mainstem of Surface Creek from the point of diversion of water supply to confluence with Tongue Creek; including mainstem of Ward Creek, from the boundary of national forest lands to the confluence with Tongue Creek; mainstem of Tongue Creek from the source to the confluence with the Gunnison River; mainstem of Youngs Creek from the boundary of national forest lands to the confluence with Kiser Creek; mainstem of Kiser Creek from the boundary of national forest lands to the confluence with Youngs Creek.		Aq Life Cold 2 Recreation P Agriculture	D.O. = 6.0 mg/l S.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Fish Ingestion Temporary modifications: Se(ch)= 9.3 Fe(ch)(Trec)= 2650 Expiration date of 12/31/2011.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: San Miguel River			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
	Stream Segment Description								
2. All tributaries including all lakes (including Trout Lake), reservoirs, and wetlands to the San Miguel River from its sources to a point immediately below the confluence of Leopard Creek with the exceptions listed in Segments 1, 6a, 6b, 7a, 7b and 8.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)= 0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac)=TVS Zn(ch)=TVS(sc)	Temporary Modification: Cd(ch) = 0.6 Expiration Date 12/31/2011.
3b. Mainstem of the San Miguel River from a point immediately above the confluence of Marshall Creek to a point immediately above the confluence of South Fork San Miguel River.		Aq Life Cold 1 Recreation E Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)= 7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ch)=TVS	Fe(ch)=1000(Trec) Pb(ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ch)=190	Temporary Modifications: Cd(ch) = 0.7 Zn(ch)= 198 Expiration date of 12/31/2011.
4b. Mainstem of the San Miguel River from a point immediately below the CC ditch to a point immediately below the confluence of Naturita Creek.		Aq Life Cold 2 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)= 0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Water+Fish Standards Temporary Modification: Temperature below the Tri-State mixing zone 26.3°C MWAT June-Sept. <u>Expiration date of</u> <u>12/31/2011</u>
5. Mainstem of San Miguel River from a point immediately below the confluence of Naturita Creek to its confluence with the Dolores River.		Aq Life Warm 1 Recreation E Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)= 7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS U(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: NH ₃ (ac/ch)=TVS(old) Expiration date of 12/31/2011.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
BASIN: Lower Dolores River									
Stream Segment Description									
2.	Mainstem of the Dolores River from the Little Gypsum Valley Bridge at the San Miguel/Montrose County line, to the Colorado/Utah border.	Aq Life Warm 1 Recreation E Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)= 7.6(Trec) Cd(ac/ch)=TVS CrIII(ac)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)= 1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS U(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: NH ₃ (ac/ch)=TVS(old) expiration date of 12/31/2011.

WQCD PROPOSED

35.31 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 2009 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; FINAL ACTION FEBRUARY 8, 2010; EFFECTIVE DATE MARCH 30, 2010

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modifications of ammonia standards on six segments were reviewed.

Deleted: Ammonia temporary modifications were deleted on the following segments because permits had recently been reissued for dischargers on the segments. Compliance schedules in the permits are adequate to address any necessary treatment plant upgrade issues.

Uncompahgre River Segments 4a and 4b
Lower Gunnison River segments 2

No action: The Commission took no action on the ammonia temporary modifications on the following segments. These will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

Lower Gunnison River Segment 4a
San Miguel River Segment 5
Lower Dolores River Segment 2

Other Parameters: The following temporary modifications were also reviewed. The Commission took no action on these temporary modifications which will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

Upper Gunnison segment 8	cadmium
Upper Gunnison segment 12	cadmium, zinc
Upper Gunnison segment 16	zinc
North Fork segments 3 and 5	selenium
North Fork segment 6b	iron, selenium
Uncompahgre segment 3a	cadmium, iron
Uncompahgre segments 4b, 4c, 12	selenium
Lower Gunnison segment 2, 4a, 4b	selenium
Lower Gunnison segment 7	iron, selenium
San Miguel River segment 2	cadmium
San Miguel River segment 3b	cadmium, zinc
San Miguel River segment 4b	temperature

The expiration date of 12/31/2011 was added to the temperature temporary modification on San Miguel River segment 4b. This expiration date appears in the Statement of Basis for that hearing and was inadvertently left out of the table.

EXHIBIT 5

WATER QUALITY CONTROL DIVISION

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 8	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l				
BASIN: Rio Grande										
Stream Segment Description										
12. Mainstem of the Rio Grande from the Rio Grande/Alamosa County line to the Old State Bridge east of Lobatos (Conejos County Road G).		Aq Life Warm 1 Recreation E Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.50	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Trec) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification type I: NH ₃ (ac/ch)=TVS(old). Expiration date of 12/31/2011.	

REGION: 8	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l				
Stream Segment Description										
18. Mainstem of the Rio San Antonio from Highway 285 to the confluence with the Conejos River.		Aq Life Warm 2 Recreation E Agriculture	D.O.= 6.0 mg/l D.O.(sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=1000 Hg(ch)=TVS(Trec) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Fish Ingestion Temporary Modification type I NH₃(ac/ch)=TVS(old). Expiration Date 12/31/2011.	

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 8	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
BASIN: Closed Basin-San Luis Valley									
Stream Segment Description									
3. All tributaries to the Closed Basin except for segment 2, segments 4 to 13b.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification type I: NH ₃ (ac/ch)=TVS(old) Expiration date of 12/31/2011.
13b. North Branch Saguache Creek and all tributaries	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification type iii: NH₃(ac/ch)=existing quality). Expiration date of 12/31/2011.
14. All wetlands tributary to the Closed Basin except for specific listings in segments 1 through 13b.	UP	Aq Life Warm 2 Recreation E Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Trec) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification type i: NH₃(ac/ch)=TVS(old) Expiration date of 12/31/2011.

PROPOSED WQCD

36.28 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 2009 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; FINAL ACTION FEBRUARY 8, 2010; EFFECTIVE DATE MARCH 30, 2010

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modifications of ammonia standards on five segments were reviewed.

Deleted: Ammonia temporary modifications were deleted on the following segments because in most cases permits had recently been reissued for dischargers on the segments. Compliance schedules in the permits are adequate to address any necessary treatment plant upgrade issues. In other cases, no permits now discharge to this segment.

Rio Grande segment 12
Alamosa River segment 18
Closed Basin segments 13b and 14

No action: The Commission took no action on the ammonia temporary modifications on the following segment. These will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

Closed Basin segment 3

EXHIBIT 6

WATER QUALITY CONTROL DIVISION

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:11		Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Lower Yampa River/Green River				PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description										
2.	Mainstem of the Yampa River from a point immediately below the confluence with Elkhead Creek to the confluence with the Green River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac)=TVS Zn(ch)=TVS(sc)	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.

REGION:11		Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: White River				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
Stream Segment Description										
21.	Mainstem of the White River from a point immediately above the confluence with Douglas Creek to the Colorado/Utah border.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH₃(ac)=TVS(old) NH₃(ch)=0.06 (Type I). Expiration date of 12/31/2011.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:11		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: Lower Colorado River				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
Stream Segment Description										
2a.	Mainstem of the Colorado River from immediately below the confluence with Rifle Creek to immediately above the confluence of Rapid Creek.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.
2b.	Mainstem of the Colorado River from a point immediately above the confluence with Rapid Creek to immediately above the confluence of the Gunnison River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.
4e.	Mainstem of Dry Creek including all tributaries and wetlands from the source to the confluence with the Colorado River.		Aq Life Cold 2 Recreation N Agriculture	T=TVS(CS-II) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=5.0 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: T=existing quality Cu(ac/ch)=existing quality Fe(ch)=existing quality(Trec) (Type iii) Expiration May 31, 2011
13b.	All tributaries to the Colorado River, including wetlands, from the Government Highline Canal Diversion to a point immediately below Salt Creek, and downgradient from the Government Highline Canal, the Orchard Mesa Canal No. 2, Orchard Mesa Drain, Stub Ditch and the northeast Colorado National Monument boundary.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011. Persigo Wash from the Grand Junction discharge to the confluence with the Colorado River for Dec-Feb: T _(DM) =18.0 °C T _(MWAT) =18.0 °C (Type iii). Expiration date 12/31/2011
13d.	Coal Canyon Creek downgradient of the Government Highline Canal.		Aq Life Warm 2 Recreation P Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E. Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=5.0 NO ₂ =10 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS Cu(ac)=0.96e ^{(0.9801 ln(hard)-1.4747)} Cu(ch)=0.96e ^{(0.5897 ln(hard)-0.3193)}	Fe(ch)=1000 Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=existing quality (Type iii). Expiration date 5/31/2011.

PROPOSED WQCD

37.26 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 2009 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; FINAL ACTION FEBRUARY 8, 2010; EFFECTIVE DATE MARCH 30, 2010

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modifications of ammonia standards on five segments were reviewed.

Deleted: The ammonia temporary modification on White River Segment 21 was deleted because the Town of Rangely's permit had recently been reissued for discharges on the segment. Compliance schedules in recently issued permits are adequate to address any necessary treatment plant upgrade issues.

No action: The Commission took no action on the ammonia temporary modifications on the following segments. These will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

Lower Yampa River segment 2
Lower Colorado River segments 2a, 2b and 13b

Other Parameters: The following temporary modifications were also reviewed. The Commission took no action on these temporary modifications which will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

Lower Colorado segment 4e	copper, iron, temperature
Lower Colorado River segment 13b	temperature
Lower Colorado River segment 13d	selenium

EXHIBIT 7
WATER QUALITY CONTROL DIVISION
 (Proposal reflects revisions from June 2009 basinwide rulemaking hearing)

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: UPPER SOUTH PLATTE RIVER	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS µg/l			
Stream Segment Description									
5c. Mainstem of Gooseberry Gulch and all tributaries from source to Sunset Trail.		Aq Life Cold 2 Recreation U Water Supply Agriculture	T=TVS(CS-II) °C D.O.=6.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02- 10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac/ch)=Existing Quality(Type iii). Expiration date of 12/31/2011.
10a. Mainstems of East Plum Creek, West Plum Creek, and Plum Creek from the boundary of National Forest lands to Chatfield Reservoir, mainstems of Stark Creek and Gove Creek from the boundary of National Forest lands to their confluence.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-I) °C D.O.= 5.0 mg/l pH = 6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Cu (ac/ch) = TVSx2.4 on East Plum Creek and Plum Creek below the Plum Creek Wastewater Authority Discharge. (Type iii). Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.06 mg/l (Type i). Expiration date of 12/31/2011.
11b. All tributaries to the West Plum Creek system, including all wetlands, which are not on national forest lands, except for specific listings in Segments 9 and 12.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.06 mg/l (Type i). Expiration date of 12/31/2011.

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4		DESIG	CLASSIFICATIONS	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: UPPER SOUTH PLATTE RIVER				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS µg/l				
Stream Segment Description										
14.	Mainstem of the South Platte River from the outlet of Chatfield Reservoir to the Burlington Ditch diversion in Denver, Colorado.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-I) °C summer=14 Feb- Nov D.O.=5.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis)	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=190(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH₄(ae)=TVS(old); NH₄(ch)=0.06 mg/l (Type i); Applies below Bowles Ave. Expiration date of 12/31/2014. Cu(ac/ch)=TVSx2.7 (Type iii). Applies below the confluence with Marcy Gulch. Expiration date of 12/31/2014. T=current conditions (Type iii). Expiration date of 12/31/2014. Se(ac/ch)=current conditions (Type iii). Expiration date of 12/31/2013.
16a.	Mainstem of Sand Creek from the confluence of Murphy and Coal Creek in Arapahoe County to the confluence with the South Platte River.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac)=TVS Se(ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)= current condition type iii Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.10 mg/l (Type i). Expiration date of 12/31/2011. Cu (ac/ch) = TVSx2.6 below the Sand Creek Water Reuse Facility outfall. (Type iii). Expiration date of 12/31/2014.
16c.	All tributaries to the South Platte River, including all wetlands, from the outlet of Chatfield Reservoir, to a point immediately below the confluence with Big Dry Creek, except for specific listings in the subbasins of the South Platte River, and in Segments 16a, 16d, 16e, 16f, 16g, and 16h.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100 (Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	NH₄(ae)=TVS(old); NH₄(ch)=0.06 mg/l (Type i); Expiration date of 12/31/2014.
16g.	Marcy Gulch, including all wetlands from the source to the confluence with the South Platte.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Cu (ac/ch) = TVSx2.4 below the Centennial Wastewater Treatment Facility outfall. (Type iii). Expiration date of 12/31/2014. NH₄(ae)=TVS(old); NH₄(ch)=0.06 mg/l (Type i); Expiration date of 12/31/2014. T=current conditions (Type iii). Expiration date of 12/31/2014.

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: CHERRY CREEK	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC		METALS				
	Stream Segment Description			mg/l		µg/l				
3.	Mainstem of Cherry Creek from the outlet of Cherry Creek Reservoir to the confluence with the South Platte River.		Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02- 10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis)	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.10 mg/l (Type i); Expiration date of 12/31/2011.
4.	All tributaries to Cherry Creek, including all wetlands, from the source of East and West Cherry Creeks to the confluence with the South Platte River.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.10 mg/l (Type i). Expiration date of 12/31/2011.

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4		DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: BEAR CREEK				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS µg/l				
Stream Segment Description										
4a. All tributaries to Bear Creek, including all wetlands, from the outlet of Evergreen Lake to the confluence with the South Platte River, except for specific listings in Segments 5, 6a, and 6b.			Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Water + Fish Standards Temporary modification: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.10 mg/l (Type I). Expiration date of 12/31/2011.

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4		DESIG	CLASSIFICATIONS	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: CLEAR CREEK				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS µg/l				
Stream Segment Description										
15.	Mainstem of Clear Creek from Youngfield Street in Wheat Ridge, Colorado, to the confluence with the South Platte River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II)°C D.O.=5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVSx 1.57*	Aquatic life warm 1 goal qualifier. Temporary Modifications: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.06 mg/l (Type i). Expiration date of 12/31/2014. Cu(ac/ch)=TVSx3.66*, DM=current condition MWAT=current condition type iii. Expiration date of 12/31/2014.

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: BIG DRY CREEK	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC	METALS				
	Stream Segment Description			mg/l	µg/l				
1. Mainstem of Big Dry Creek, including all tributaries and wetlands, from the source to the confluence with the South Platte River, except for specific listing in Segments 4a, 4b, 5 and 6.	UP	Aq Life Warm 2 Recreation P Agriculture	T=TVS(WS-I)°C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =4.5	As(ac)=340 As(ch)=100(Trec) Be(ch)=100 Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS 4/1 thru 10/31: Se(ch)=7.4* Se(ac)=TVS* 11/1 thru 3/31: Se(ch)=15* Se(ac)=19.1*	Temporary modifications: NH ₃ (ac)=TVS(old); NH ₃ (ch) = 0.10 mg/l (Type i). Expiration date of 12/31/2011. *Refer to Section 38.6(4)(d).
3. Great Western Reservoir.	UP	Aq Life Warm 2 Recreation N Water Supply Agriculture	T=TVS(WL)°C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =2.7	As(ac)= 340 As(ch)=100(Trec) Be(ch)=100 Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	See attached Table 2 for additional standards for segment 3. Temporary modification: NH ₃ (ac)=TVS(old); NH ₃ (ch) = 0.10 mg/l (Type i). Expiration date of 12/31/2011.

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: BOULDER CREEK	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC	METALS					
	Stream Segment Description			mg/l	µg/l					
7b. Mainstem of Coal Creek from Highway 36 to the confluence with Boulder Creek.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.	
9. Mainstem of Boulder Creek from a point immediately above the confluence with South Boulder Creek to the confluence with Coal Creek.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis)	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Cu (ac/ch)=Current Condition. Type (iii). Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011	
10. Mainstem of Boulder Creek from the confluence with Coal Creek to the confluence with St. Vrain Creek.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.	

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: ST. VRAIN CREEK	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC	METALS					
	Stream Segment Description			mg/l	µg/l					
3. Mainstem of St. Vrain Creek from Hygiene Road to the confluence with the South Platte River		Aq Life Warm 1 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.	
6. All tributaries to St. Vrain Creek, including wetlands from Hygiene Road to the confluence with the South Platte River, except for specific listings in the Boulder Creek subbasin and in Segments 4a, 4b, 4c and 5.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100 Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=6.6µg/l (dis). (Type iii). Expiration date of 2/28/40 12/31/2014 NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.	

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: MIDDLE SOUTH PLATTE RIVER	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS µg/l			
Stream Segment Description									
1a. Mainstem of the South Platte River from a point immediately below the confluence with Big Dry Creek to the confluence with St. Vrain Creek.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.* pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVSx2.2	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	*See attached table for site-specific Dissolved Oxygen and Ammonia standards. Temporary modifications: Se(ch)=6.9 µg/l (dis). (Type iii). Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.
3a. All tributaries to the South Platte River, including all wetlands, from a point immediately below the confluence with Big Dry Creek to the Weld/Morgan County line, except for specific listings in the subbasins of the South Platte River, and in Segments 3b, 5a, 5b, 5c, and 6.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Fish Ingestion Standards Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.

Site-Specific Minimum Dissolved Oxygen and Ammonia Standards for Middle South Platte Segment
1a

Dissolved Oxygen:

STANDARDS

Early Life Stage Protection Period (April 1 through July 31)

1-Day^{1,4,5} 3.0 mg/L (acute)

7-Day Average^{1,2} 5.0 mg/L

Older Life Stage Protection Period (August 1 through March 31)

1-Day^{1,4} 2.0 mg/L (acute)

7-Day Mean of Minimums^{1,3} 2.5 mg/L

30-Day Average^{1,2} 4.5 mg/L

Refer to Section 38(6)(4)(c) for Dissolved Oxygen assessment locations.

Footnotes

1. For the purpose of determining compliance with the standards, dissolved oxygen measurements shall only be taken in the flowing portion of the stream at mid-depth, and at least six inches above the bottom of the channel. All sampling protocols and test procedures shall be in accordance with procedures and protocols approved by the Division.
2. A minimum of four independent daily means must be used to calculate the average for the 7-Day Average standard. A minimum of eight independent daily means must be used to calculate the average for the 30-Day Average standard. The four days and the eight days must be representative of the 7-Day and the 30-Day periods respectively. The daily mean shall be the mean of the daily high and low values. In calculating the mean values, the dissolved oxygen saturation value shall be used in place of any dissolved oxygen measurements which exceed saturation.
3. The 7-Day Mean Minimum is the average of the daily minimums measured at a location on each day during any 7-Day period.
4. During a 24 hour day, dissolved oxygen levels are likely to be lower during the nighttime when there is no photosynthesis. The dissolved oxygen levels should not drop below the acute standard (ELS acute standard of 3.0 mg/L or the OLS standard of 2.0 mg/L). However, if during the ELS period multiple measurements are below 3.0 mg/L during the same nighttime period, the multiple measurements shall be considered a single exceedance of the acute standard. For measurements below 2.0 mg/L during either the ELS or the OLS periods, each hourly measurement below 2.0 mg/L shall be considered an exceedance of the acute standard.
5. In July, the dissolved oxygen level in Segment 1a may be lower than the 3.0 mg/L acute standard for up to 14 exceedances in any one year and up to a total of 21 exceedances in three years before there is a determination that the acute dissolved oxygen standards is not being met. Exceedances shall be counted as described in Footnote 4.

Ammonia:

Early Life Stage Protection Period (April 1 through July 31)

Ammonia

Warm Water = (mg/l as N)Total

$$acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$$

$$chronic \text{ (Apr 1 - July 31)} = \left(\frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN \left(2.85, 1.45 * 10^{0.028(25 - T)} \right)$$

$$chronic \text{ (Aug 1 - Mar 31)} = \left(\frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * 1.45 * 10^{0.028 * (25 - MAX(T, 7))}$$

NH₃ = old TVS

Warm Water Acute = 0.62/FT/FPH/2^(4 old) in mg/ (N)

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: BIG THOMPSON RIVER	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC		METALS				
	Stream Segment Description				mg/l		µg/l			
4b. Mainstem of the Big Thompson from the Greeley-Loveland Canal diversion to County Road 11H.		Aq Life Warm 2 Agriculture 5/1 – 10/15 Recreation E 10/16 – 4/30 Recreation N	T=TVS(WS-I) °C D.O. = 5.0 mg/l pH = 6.5-9.0 5/1 – 10/15 E.Coli=126/100ml 10/16 – 4/30 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Fish Ingestion Standards Temporary modification: Se(ch)=5.5µg/l (dis). (type iii) Expiration date of <u>2/28/10</u> <u>12/31/2014</u> .	
5. Mainstem of The Big Thompson River from I-25 to the confluence with the South Platte River.		Aq Life Warm 2 Agriculture 5/1 – 10/15 Recreation P 10/16 – 4/30 Recreation N	T=TVS(WS-I) °C D.O. = 5.0 mg/l pH = 6.5-9.0 5/1 – 10/15 E.Coli=205/100ml 10/16 – 4/30 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=5.7 µg/l (dis). (Type iii). Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.	
6. All tributaries to the Big Thompson River, including all wetlands, from the Home Supply Canal diversion to the confluence with the South Platte River.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Fish Ingestion Standards Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.	
9. Mainstem of the Little Thompson River from the Culver Ditch diversion to the confluence with the Big Thompson River.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=13.1 µg/l (dis). (Type iii). Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.	
10. All tributaries to the Little Thompson River, including all wetlands, from the Culver Ditch diversion to the confluence with the Big Thompson River.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2014.	

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4		DESIG	CLASSIFICATIONS	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: CACHE LA POUDRE RIVER				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS µg/l				
Stream Segment Description										
11.	Mainstem of the Cache La Poudre River from Shields Street in Ft. Collins to a point immediately above the confluence with Boxelder Creek.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =2.7 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Nitrite as a 30 day average. Fish Ingestion Standards Temporary Modifications: Se(ch)=5.4 µg/l (dis). (Type iii). Expiration date of 12/31/2014. NH₃(ac)=TVS(old) NH₃(ch)=0.10 (Type i). Expiration date of 12/31/2014.
12.	Mainstem of the Cache La Poudre River from a point immediately above the confluence with Boxelder Creek to the confluence with the South Platte River.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =2.7 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Nitrite as a 30 day average. Fish Ingestion Standards Temporary modifications: Se(ch)=7.1 µg/l (dis). (Type iii). Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.
13a.	All tributaries to the Cache La Poudre River, including all wetlands, from the Monroe Gravity Canal/North Poudre Supply canal diversion to the confluence with the South Platte River, except for specific listings in Segments 6, 7, 8, 13b and 13c.	UP	Aq Life Warm 2 Recreation E Agriculture Water Supply	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.
13b.	Mainstem of Boxelder Creek from its source to the confluence with the Cache La Poudre River.		Aq Life Warm 2 5/15-9/15 Recreation P 9/16-5/14 Recreation N Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 5/15-9/15 E.Coli=205/100ml 9/16-5/14 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=13.0 µg/l (dis). (Type iii). Expiration date of 12/31/2014. NH₃(ac)=TVS(old) NH₃(ch)=0.10 (Type i). Expiration date of 12/31/2014.

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: CACHE LA POUDRE RIVER	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC	METALS					
	Stream Segment Description			mg/l	µg/l					
22. Fossil Creek Reservoir.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WL) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.	

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: LOWER SOUTH PLATTE RIVER Stream Segment Description	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS µg/l				
1. Mainstem of the South Platte River from the Weld/Morgan County line to the Colorado/Nebraska border.		Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=12.3 µg/l (dis). (Type iii). Expiration date of 12/31/2014. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.
2b. All tributaries to the South Platte River, including all wetlands, north of the South Platte River and below 4,500 feet in elevation in Morgan County, north of the South Platte River in Washington County, north of the South Platte River and below 4,200 feet in elevation in Logan County, north of the South Platte River and below 3,700 feet in elevation in Sedgwick County, and the mainstems of Beaver Creek, Bijou Creek and Kiowa Creek from their sources to the confluence with the South Platte River, except for the portion of Beaver Creek from its source to the Fort Morgan Canal.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.

PROPOSED WQCD

38.75 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 2009 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; FINAL ACTION FEBRUARY 8, 2010; EFFECTIVE DATE MARCH 30, 2010

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modifications of ammonia standards on 31 segments were reviewed.

Deleted: Ammonia temporary modifications were deleted on the following segments because in most cases permits had recently been reissued for dischargers on the segments. Compliance schedules in the permits are adequate to address any necessary treatment plant upgrade issues. In other cases, no permits now discharge to this segment.

Upper South Platte segments 14, 16c, and 16g
Cherry Creek segment 3
Bear Creek segment 4a
Clear Creek segment 15
Big Thompson River segment 10
Cache la Poudre River segments 11 and 13b

No action: The Commission took no action on the ammonia temporary modifications on the following segments. These will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

Upper South Platte segments 5c, 10a, 11b, and 16a
Cherry Creek segment 4
Big Dry Creek segments 1 and 3
Boulder Creek segments 7b, 9, and 10
St Vrain Creek segments 3 and 6
Middle South Platte River segments 1a and 3a
Big Thompson River segments 5, 6, and 9
Cache la Poudre River segments 12, 13a, and 22
Lower South Platte segments 1 and 2b

Other Parameters: The following temporary modifications were also reviewed and the expiration dates extended to 12/31/2014. This should cover the time it takes for EPA to promulgate new criteria and finish implementation guidance. These temporary modifications will be reviewed in 2012 and 2013.

St Vrain Creek segment 6	selenium
Big Thompson River segment 4b	selenium