

Bear Creek Watershed Association

Approved: June 12, 2013

Policy 10 - Water Quality Monitoring Priority Tier Designations



Statement of Basis and Purpose

The BCWA is responsible under Bear Creek Control Regulation #74 to monitor for and identify potential sources of nonpoint source pollution or unregulated point sources that can impair stream classifications and standards as listed in Colorado Regulation #38 and the Colorado Basic Standards for the Bear Creek Watershed.

The definitions for non-point sources and point sources as contained in the regulation are:

- Non-point sources are defined in regulation as: *"Nonpoint Source" means for the purpose of this regulation diffuse sources of pollution that are not regulated as a point source and normally are associated with impacts from agriculture, silviculture, urban runoff, construction activities, inactive or abandoned mines, and individual sewage disposal systems.*
- Point sources are identified in regulation as: *"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft from which pollutants are or may be discharged. "Point Source" includes conveyances of regulated stormwater. "Point Source" does not include irrigation return flows.*

The BCWA uses the state's definition of waters of the state to define waters of interest within the watershed. The Colorado Definition of "waters of the state" is:

Any and all surface and subsurface waters which are contained in or flow in or through this state.

There are numerous activities, unregulated point sources and non-point sources in the watershed that have the potential to generate water quality pollutants. However, not all activities, unregulated point sources or minor "non-point" sources of pollutants are anticipated to cause measureable degradation of waters within the watershed. As such, the BCWA asserts it will be more effective over the next 10-years (through 2023) to target a more limited subset of unregulated point and non-point sources within the watershed that have the greatest potential to cause either site-specific or watershed-wide water quality degradation.

The use of a definable buffer system from any stream, lake, reservoir, wetland, or otherwise designated waters of the state is the preferred method to prioritize field observations and monitoring programs. The Colorado Source Water Protection program uses a zone 1 distance of 1,000 feet. Other local and state programs have used a zone or buffer distance from 100 feet to ½ mile. The BCWA selected distance of 200-feet either side of a defined water feature. This 200-foot buffer zone has been applied in other Colorado watersheds and from a water quality degradation potential in the Bear Creek Watershed, this zone would provide a water quality data defensible buffer limit for the primary monitoring and observation zone.

Policy Position

The BCWA uses a 3-tier buffer zone designation process to prioritize potential unregulated point and non-point sources for documentation, water quality monitoring, and/or remedial recommendations or investigations:

High Priority Tier 1 - Potential or identifiable pollutant sources (either unregulated point or non-point) that are located within an estimated 200-foot buffer either side of any stream, lake, reservoir, wetland, or otherwise designated *waters of the state* and can introduce pollutant loads to the waterways via surface runoff sheet flow or groundwater. This will be the high priority zone for monitoring and observations by the membership of the BCWA.

Medium Priority Tier 2 - Potential or identifiable pollutant sources (either unregulated point or non-point) that are observed (strong indirect evidence) or specifically measured by the BCWA or a third-party to introduce measureable pollutant loads to the surface waterways via surface runoff sheet flow, regardless of distance from waterways or alluvial groundwater.

Low Priority Tier 3 – Upland areas where the potential to cause pollutant sources (either point or non-point) is minimal specifically related to water quality degradation. The BCWA would only take action on a source in Tier 3 based on third-party measured degradation of water quality and the identification of a pathway to waterways or groundwater.