



## CDPS Permit Public Comment Form

Please use this form to submit comments to the division on CDPS permits.

Permit Number:

Date

Comment Author/Permittee (if you are commenting on behalf of someone)

Email Address

Please put your comments for each part of the permit on a new line. If this is a modification, please limit your comments to the scope of the modification. Once you have completed your comments please email to the permit writer with any supporting documentation.

| Document<br>(Permit,<br>Fact Sheet,<br>or WQA) | Part of the document. (For<br>example, Permit Part I.E.a.VI) | Comment   | Request: Specific change you<br>are asking for |
|--|--|---|--|
| Permit<br>Modification<br>1                    | Overall  | The foregoing comments to the proposed modifications to the COR070000 permit do not replace or supersede the comments we provided on the first draft COR070000 permit, issued on June 13, 2019, and on the second draft COR070000 permit, issued on March 12, 2020, and in no way is a waiver of any of the claims set forth in complaint filed on May 28, 2021 in Denver District Court as Case No. 2021CV31722. |  |

|                       |                   |  |  |
|-----------------------|-------------------|--|--|
| Permit Modification 1 | Overall           | Final Page shows “Page 87 of 89” - Are two (2) pages missing or is the total pages 87? -.  | Please add two pages or revise total number of pages   |
| Fact Sheet            | Part I.2.iv       | Since a written, signed agreement is not required, what mechanism is in place that requires Standard Permittees to share documentation (for IDDE, Construction, Post-Construction) in a timely manner necessary for annual compliance by the Non-Standard? | Please remove all duplicate annual documentation requirements for Non-Standard Permittees related to the Standard Permittee’s IDDE, Construction and Post-Construction Programs and documentation requirements   |
| Permit Modification 1 | Part I.E.4.a.v    | Table 3 - PR010 - Post Construction Site Plans: - Notification of completion due in Annual Report on March 10, 202/. Unclear on when notification is annual report is due (i.e. 202/).   | Please revise.   |
| Permit Modification 1 | Part 1.A.2.iv     | It is not clear what the documentation is required that verifies the permittee is legally held to the standard permittee’s requirements.   | Please clearly define the documentation required. Even if the NS permittee is not legally held to Standard permit requirements, evidence of review and approval, permits and inspections should be sufficient since it is available in standard’s records. |
| Permit Modification 1 | Part I.E.2.a.v(G) | The first paragraph refers to a “Part V below” which does not appear to exist in the permit.   | Please edit the reference.   |
| Permit Modification 1 | Part I.E.2.a.v(X) | Paragraphs in this section reference “Part I.E.2.a.v(Z)1)” and “Part I.E.2.a.v.(Z)” which does not appear to exist in the permit.  | Please edit the reference.   |

|                                |             |   |   |
|--------------------------------|-------------|---|---|
| Permit Modification Fact Sheet |             | <p>The Fact Sheet for Modification 1 dated 08/12/2021 include discussion related to “State Lands” and its potential impacts to MS4 permitting, particularly for public schools. Based on discussions with the State Land Board, it appears that the vast majority of public schools in Colorado are not located on what the State Land Board would define as “State Lands”. As the State Land Board has indicated, it would not be in the State’s best interest for public schools to be located on State Lands, as the revenues which the State Land Board generates through leasing surface rights, mineral rights, etc. of State Trust Lands is utilized to fund public schools and by having public schools located on State Lands would take away opportunities to generate revenues to fund the public schools. Additionally, land use authority for public schools across the State varies. For instance, some School Districts rely entirely on the State Architects Office, etc. for building permitting authority, other School Districts utilize the local municipality (which can be a Standard MS4) for complete building permit and site development authority, others may use a combination of the two, etc. Often times, the School District or College and local municipality have agreements in place for the local municipality to provide some form of land use authority, or at least a process in place for the local municipality to provide input on land use proposals by the School District or College. In this context, the definition of state lands is unclear.</p> | Please provide a definition of state lands.   |
| Permit Modification Fact Sheet | Part I.2.iv | <p>Since a documented agreement is no longer required if there is “a description of an effective legal means or process as an alternative to a written agreement”, if a Non-Standard permittee does enter into an documented agreement after the effective date of the permit, would a permit modification be required since either option is allowed?</p>  | No permit modification required if permittee chooses different option. This can be noted in annual reports as required. |

